THE COLONIAL SOCIETY OF MASSACHUSETTS
1892

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of

The Colonial Society of Massachusetts

TRANSACTIONS

1933–1937

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Horace Everett Ware Memorial: First Church in Boston

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PUBLICATIONS

of

The Colonial Society of Massachusetts

VOLUME XXXII

TRANSACTIONS

1933–1937

Boston
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1937

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Preface

VOLUME XXXII, now completed, contains the Transactions of the Society at sixteen meetings, from November, 1933, to April, 1937, both included, in continuation of Volume XXVIII; and also the exercises at the dedication of the Horace Everett Ware Memorial.

The Committee gratefully acknowledges the Society's indebtedness to several institutions, and to friends and members of the Society, for permission to reproduce documents in their possession, for the gift of plates, or for other courtesies, especially: the Reverend Charles E. Park, Mrs. Jerome W. Coombs, Mr. Charles H. Hall, the John Carter Brown Library, the British Museum, the New England Historic Genealogical Society, the Harvard College Library, the Essex Institute, and the Massachusetts Historical Society.

For the Committee of Publication,

SAMUEL ELIOT MORISON, *Chairman*

Boston, November 1, 1937

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Transactions

1933–1937

Transactions of

The Colonial Society of Massachusetts

May 7, 1933

AT the dedication of the Ware Memorial in the First Church in Boston, in commemoration of the transfer of the colony charter from England to Massachusetts,[1] the Reverend CHARLES EDWARDS PARK delivered the following

Address

IN the year 1916 Mr. Horace Everett Ware made a gift of money to the Colonial Society of Massachusetts, to which he later, by will, made a very substantial addition. His instructions were that "the sum, together with any interest thereon, and additions, if any, from other sources, be applied at some future time, perhaps in the year 1930, to or towards constructing and placing a memorial to the Governor and Company of the Massachusetts Bay in New England, or to such of its officers and freemen as took part in the transfer of its Charter Government to its territory here in New England." It is evident from these words that Mr. Ware was impressed by two facts in our early history—first, that the Massachusetts Bay Colony was not founded by a company who remained in England and delegated the task of settlement to emissaries who were to do the actual physical work of colonization: it was founded by the personal labors of the foremost members of the company, who came themselves to this New England wilderness, who in some cases brought their wives and children with them, and who devoted to the enterprise their personal presence and service, their personal self-sacrifice. And second, the Massachusetts Bay Colony was not governed at arm's length by a company resident in England: it was governed by the actual settlers or planters, who brought with them their royal charter, and who, by a skilful interpretation of its provisions, found in that charter their vindication for setting up, as they at once proceeded to do, this machinery of self-government.

They came themselves. They brought their charter with them, and,

[1] See below, p. 15.

in their charter, their right of self-government. These were the two facts that impressed Mr. Ware as being notable, not to say unique, and as being worthy of especial commemoration. It had always seemed to him regrettable that there was nowhere in the Commonwealth a memorial that called attention to these two salient and significant points. And it was to repair this lack that he made his gift and bequest, and left his instructions. The Colonial Society of Massachusetts has endeavored to meet Mr. Ware's wishes, not only to the letter but in spirit. The memorial which we unveil this day is placed in the meeting-house of one of the original churches gathered by those settlers. Eight of the twelve names recorded upon the memorial may be found in the list of those admitted to the membership of this church. The inscription carved upon the memorial states that it exists to do peculiar honor to those members of the company who agreed "to passe the seas . . . to inhabite and continue in New England," and who brought with them this charter, thus giving the colony the responsibility of a self-governing dominion. The fact that they came in person, and the fact that they brought the charter with them, are the two facts which the memorial strives especially to emphasize.

At once the question arises, Why? Why should those two facts be considered especially notable, worthy of peculiar commemoration? Why should they not be accepted as more or less adventitious, due to the exigencies of the case or to the accidental play of circumstance? Why should we treat those two facts as though they were mysteriously significant or due to some deliberate design?

In attempting an answer to such questions we shall find ourselves brought face to face with some of the deeper currents of causation that were at work during those years, and shall have to make acquaintance with some of the deeper cravings and ambitions that prompted men's actions. It was no accident that Massachusetts Bay was unique among the colonies of North America. Her uniqueness lay in her possession of the right of self-government, or at least in her claim to that privilege, a claim which she managed practically to maintain even in default of technically solid grounds. Where other colonies were under the control of their companies of financial backers in England, and were in effect little more than pioneer bands of indentured servants obeying the orders that came to them from across the sea, powerless to make their own laws or manage their own affairs in their own way, Massachusetts Bay was colonized by a kind of men who proposed to be nobody's indentured servants, and who might be depended on to obey no laws except those of their own making.

That is the first truth to get well fixed in our minds: the quality of the men who crossed the seas in person to inhabit and continue in New Eng-

land. They were men of substance and position, men of high spirit and solid character. Most of them were university men. Some of them were possessed of ample fortunes. As a very competent historian has expressed it, they were picked men. It was a foregone conclusion that such men would never consent to be governed by a company resident in England. Not only had they too much independence of spirit to occupy so false a position, they also had the wisdom to see that no colony could long survive if it were to be regulated by the possibly well-meant, but inevitably clumsy and blundering, legislation of officials who stayed in England, having no adequate conception of the conditions which the colonists must actually face, and of the difficulties, physical, social, and economic, which they must somehow surmount. They were wise enough to see that only a government on the ground, that is to say only a self-government, could ever recognize the novel conditions of life in the New World, and could ever surmount those difficulties. And it is in no way surprising that we find them, in their Cambridge agreement, promising to make the journey to New England on the explicit condition that the charter and government should be transferred thither with them.

But at once we are faced by another question—Why did they come at all? That they should exercise the right of self-government was only the condition under which they agreed to come; but what was the motive? It must have been a very powerful motive, for such a step on their part meant a radical, an exceedingly problematical, and a very expensive hazard of new fortunes. It meant not only the discomforts but the considerable dangers of a transatlantic voyage in vessels not much larger than Gloucester fishing schooners, and not nearly so seaworthy. It meant coping with the unknown perils of the American wilderness, with its savages, its loneliness, its privations, and the rigors of its climate, which, by the way, proved far more rigorous than they had expected. It meant almost certain loss of worldly estate. It meant, perhaps most of all, the grief of pulling up their roots from a soil which has always been proverbially dear to its inhabitants and was just as dear to them as it ever has been to any Englishmen, and transplanting those roots to an alien soil.

There is nothing here which they themselves did not foresee. In the event, some of their anticipations of hardship were found to have fallen short of the mark. And perhaps in a few particulars they found that their anticipations had been too ominous, and that things were not really so bad as they had feared. But taking the matter by and large, they entered upon their undertaking with their eyes open, with a minimum of false hopes, and with a rather surprising appreciation of what they would have to suffer and endure. All this indicates that they had carefully noted the experiences

of other colonists and had armed themselves with the best and fullest knowledge available of conditions of life in the New World.

It will hardly do then to say that they came over here in the ardor of foolish expectation, or in ignorance of what the step would cost them. They understood how heavy the cost would be, a cost which it is not easy for us to overestimate, and one which we can appreciate only by putting ourselves in their place. There must have been a very powerful motive to induce them to face those heavy costs. History is by no means innocent of episodes to which it is customary to attribute certain superficial causes, but the real causes of which are to be found only by reading between the lines. Here is one of those episodes. The real motive which prompted their action is one concerning which they were strangely reticent. It has to be detected by a sort of historical sympathy or historical intuition. These men were English Puritans, at a time when Puritanism was comparatively young and vigorous and just at the dawn of its day of political power. Even upon its native German soil the Protestant Reformation had awakened no more ardent hopes and had aroused no deeper or purer determination than in England. In this new Protestantism, based frankly upon the Holy Bible as God's sufficient and infallible revelation to man of the Divine Will and the Divine Method, they saw their chance to rectify certain evils of long standing—religious, moral, social, and political evils. England was overcrowded with her population. The humbler classes were finding it harder and harder to secure their livelihood. They were resorting in desperation to violence and crime; and an evil spirit of lawlessness and moral laxity was abroad, the inevitable result of the social and economic injustice of the day. King and parliament were at fatal cross-purposes, and the political life of the country was at a standstill until their quarrel should be settled. Meanwhile the Established Church of England was a mass of mummeries, falsehoods, and hypocrisies that were an offence to both God and man. And it imposed no great strain upon the rationality of the Puritan mind to conclude that God had sent these manifold evils upon the country as a punishment for the corruption of the nation's religion. If ever conditions indicated the need of a thorough housecleaning, a thoroughgoing purification of the forms of worship, of religious thought and practice, of private faith and motive and prayer, now was the time.

It was a very clear and convincing picture that the English Puritan saw when he cast his eye about him. Only a few years before, one or two companies of Puritans had seen the same picture, and in their desperation had undertaken a "reformation without tarrying for any." This had necessitated their separating themselves from the Establishment, and their self-expatriation, first to Holland and then to Cape Cod. But the Puritans of

Massachusetts Bay could not bring themselves to take the extreme measure of separation. We may honor them none the less that they felt themselves to be exceedingly responsible members of society. As such they were utterly loyal to the institutions and destinies of their beloved mother country. They felt that separated reformation would in large measure defeat its own ends because it would deprive the country as a whole and the Established Church as a whole of its benefits. Their ideal was a church still established but reformed, purified from within. And their hope was to start into operation in the blood-stream of the Established Church a cogent little fermentation of reform that should spread its life-giving properties throughout the entire body, and make it over as a whole into something approximating what it ought to be. They insisted upon reformation—yes—but it must be a reformation from within and spreading through the whole body. They were not schismatics.

This was all very well to think and say, but there were practical difficulties in their path. They might strive in every way to inaugurate their process of reformation from within, but somehow the process moved on with heartbreaking deliberation. It seemed to arouse as much opposition as sympathy, until at last this opposition took definite form in one sinister personality, to whose misguided zeal the colony of Massachusetts Bay owes her existence as much perhaps as to any single cause. In 1628, Bishop Laud became Bishop of London. His rigidity of belief and determination, coming into conflict with their rigidity of belief and determination, speedily brought matters to a head. Had it not been for Bishop Laud, they might never have crossed the seas to New England. For that matter, could they have foreseen the events of 1641, when the Puritans as a political party came into power, one may venture the assertion that not a single one of them would have come over to New England in 1630. But here were the facts. Laud did become Bishop of London. Their difficulties did increase. Their persecutions did take on a fresh intensity. Their attempts at reformation from within did appear to be frustrated on every side. Matters did seem to go from bad to worse. And the future did look very dark. What were they to do?

Here was a New World off in the west; a goodly portion of it was claimed as an English possession by their own sovereign. To be sure, it was three thousand miles away, but in that New World they would still be Englishmen; a company of their own fellow-countrymen had already gone there and were successfully established. It was a land quite unspoiled—no factions had as yet preëmpted it; no traditions or institutions, corrupt or otherwise, had as yet taken root there. It was a clean white page, and, on the whole, the three thousand miles of stormy Atlantic that separated

it from Old England might very well prove to be a blessing in disguise. Here was their opportunity. Not many months were required for the development of their plan. That plan was to establish in the New World a branch of the Church of England which should be a purified branch, a true church, unsullied by any of the corruptions and false practices they lamented so deeply in Old England, fashioned as closely as might be after the pattern set forth in the Bible. About this church they would assemble a social and political structure designed to support and maintain the church in its purity, and one that would be instantly sensitive to the regulating influences, to the promptings and motives, to the moral precepts and restraints that might emanate from the church.

In other words, their plan called for a result that was just the opposite of that which they saw about them in Old England. For whereas in Old England they saw a church rendered impotent by its corruptions, existing in a secular society over which it could exert no control, and growing constantly more corrupt through contamination with the evils in that society; in New England they would see to it that a church, made powerful by its purity, would exist in a secular society over which it would exert unceasing moral and spiritual supervision, and would grow constantly more powerful just because it was the heart and soul of a social structure devoted to its purity. The church in Old England was caught in a vicious circle. Remnants of the old error still clung to it and rendered it powerless to influence society. Yielding impotently to the evils in a society it could not regenerate, it grew steadily more corrupt and steadily weaker. They would launch their church in New England upon a benign circle. Purified and therefore powerful, it would be surrounded by a society over which it exercised its own cleansing control; and constantly recruited in numbers and in spirit from that surrounding secular life whose one supreme objective was the maintenance of that true church, it would ever increase in size and blessedness until it would count within its numbers the entire community.

Travellers tell us that in many an ancient European town the most conspicuous feature on the landscape is the old gray castle or citadel upon the summit of its hill. The very geography of the town betrays its feudal origin. The castle on its commanding site was the central fact, the citadel of ultimate safety, the heart and soul of the life of the town. Around that citadel clustered the town, protecting the citadel and being protected by it, deriving all support and all incentive from that citadel. To visualize the Puritan ideal in New England is to see a life in which the church was the conspicuous commanding feature, the central and constitutive fact. Around this church there is clustered a secular life, a social and political fabric which exists to support and protect the church, and to be protected and

regenerated by it. Those two features of Puritan life were to be bound together in the closest kind of reciprocal relationship until they should ultimately merge into one, and every soul in the community should be enrolled in the membership of the church. And it is those two features in their plan which justify us in saying that it was their purpose to establish here in Massachusetts a Bible Commonwealth, or, as we more frequently call it, a theocracy.

Here then was their plan and their opportunity: to remove to the unspoiled wilderness of Massachusetts and there set up a purified branch of the Church of England which would function as the Church in England ought to function but could not—that is to say, as a Bible Commonwealth. It was their hope that this Bible Commonwealth in Massachusetts would prove a nucleus to which congenial spirits would be attracted. They did not give up hope of a reformation in England, but it was manifestly the part of wisdom to make the most of this opportunity for reformation in New England. Here was the one great motive that in the last analysis must be assigned to them, and which was common to them all, so much so in fact that it was taken for granted. There was no need to mention it: their overshadowing, underlying, major motive. Minor motives there might be, and doubtless were. But it was not the minor motives that brought them to America. None but the major motive could do that, a sense of duty to the Most High—a desire to found His true church somewhere upon earth where its purity could be maintained and its regenerating power could operate upon the lives of men.

Only by fixing that fact firmly in mind can we ever hope to understand them and to judge them aright. To read their story is to come across a long list of puzzling questions. Hardly a single one of these questions can be answered correctly unless we understand at the very outset what their motive was, and what it was they were trying to do. Why did they come over here in person? Because they knew that their ideal of a Bible Commonwealth simply could not be entrusted to other hands. It was a task which in the very nature of the case could not be delegated. It must be performed by themselves, or not at all. Why did they insist on bringing charter and government with them? And why did they claim from that charter a far greater right of self-government than it actually gave them? Because they realized that only by keeping the power in their own hands could they ever hope to establish a purified church and maintain its purity. Why were they so frankly disdainful of democratic government, and why did they insist that none but church-members should have the right to vote? Because they knew perfectly well that to put the affairs of their Bible Commonwealth into the hands of those who were not church-members

would very speedily wreck the whole enterprise. Here was a holy purpose to which they had committed themselves. How could they be so foolish as to put that purpose into the hands of those who had not as yet proved their fitness for the purpose? It was a purpose to be entrusted only to fit persons. How often we come across that phrase in their literature! And the only way they could judge of a person's fitness was by submitting him to the rigid test and exactions of church-membership. In this connection it is only fair to say that they did not hate democracy in theory. They only feared it in actual practice under the conditions then existent. In so far as their ideal of a Bible Commonwealth looked to a time when all members of the community should be gathered into the membership of the church, and as such should be rated as fit persons to have the right of voting, their ideal contemplated a thoroughgoing democracy of the future. And most of all, why were they so heartless, so austere in their treatment of all Papists and Ranters and Familists and Anabaptists and Quakers—Roger Williams, Mary Dyer, Anne Hutchinson? It is hardly necessary to answer that question. Here they were on their own land, land which had been granted them by their king, engaged in a holy enterprise to which they had consecrated themselves, body, soul, and estates. And here were persons not of their way of thinking, not in sympathy with their purpose, not willing to coöperate; but inclined rather both by their presence and by their speech and action to increase the number of obstacles and difficulties with which they were beset, and to make their ideal even more difficult of fulfilment than it need have been. What choice had they but to say: "See here, you have a right to be an Anabaptist or a Quaker or an Antinomian if you wish. But you have no right to be one here. This is our land, and we are engaged upon a very holy enterprise, and you have no right to interfere, and you must go away."

The worst crime the historian can commit is to judge one generation by the standards of another, and to appraise the actions of a group of people without understanding what those people were, what they believed, and what they were trying to do. That crime has been committed more often at the expense of the founders of the Massachusetts Bay than of any other group of people. Here was a very distinct, a very homogeneous company. They had a very definite objective. They were working upon a very clear-cut method of procedure. Let the would-be historian beware. Either understand them, their spirit, their purpose, their Calvinism, their hope, their ideal; or leave them severely alone.

There is no need to rehearse the tangled story of their technical difficulties. There is no occasion here to trace the actual working out of their ideal of a Bible Commonwealth, how long it lasted, what practical diffi-

culties it encountered, why and when it failed. Our present concern is to understand if possible why a memorial should be erected in their honor. If we can understand that, we shall agree that few men in all history are more worthy of such commemoration. They were actuated by the purest and holiest motive the human heart can know—to aid and advance the Divine Purpose. If that purpose came to them in highly specialized terms, in a form which subsequent developments have proved to be a mistaken form, and one which could not be realized, the fault was not theirs. The fact remains that they gave themselves to that task. And if only we could make our self-consecration as generously as they, and could fail as nobly as they, this world of ours would be a better place.

Annual Meeting
November, 1933

THE ANNUAL MEETING of the Society was held at the Algonquin Club, No. 217 Commonwealth Avenue, Boston, on Tuesday, November 21, 1933, at a quarter after seven o'clock in the evening, the President, SAMUEL ELIOT MORISON, in the chair.

With the consent of those present, the reading of the records of the last Stated Meeting was omitted.

The Corresponding Secretary reported the death, on April 20, 1933, of FRANCIS HENSHAW DEWEY, a Resident Member; and, on July 20, 1933, of JOHN ELIOT THAYER, a Resident Member.

The Corresponding Secretary reported the receipt of letters from Mr. HOWARD CORNING, Mr. LUDLOW GRISCOM, and Mr. GEORGE FREDERICK ROBINSON accepting Resident Membership in the Society; and from Mr. HOWARD MILLER CHAPIN and Mr. ROBERT FRANCIS SEYBOLT accepting Corresponding Membership.

Mr. JOSEPH HENRY BEALE, of Cambridge, Mr. PAUL BIRDSALL, of Williamstown, and Mr. JEFFREY RICHARDSON BRACKETT, of Boston, were elected Resident Members of the Society.

The Annual Report of the Council was read by Mr. ROBERT WALCOTT.

Report of the Council

DURING the last year the Society has held three stated meetings: in December, at the Club of Odd Volumes, by invitation of our late associate Mr. Johnson; in February, at No. 2 Gloucester Street, by invitation of Mr. Augustus P. Loring, Jr.; and in April, at No. 21 Kirkland Street, Cambridge, by invitation of the Reverend Edward Caldwell Moore.

The authors and titles of the principal papers were: Mr. Perry G. Miller, "Was the Massachusetts Bay Company Separatist?"; Mr. Robert E. Peabody, "A Forgotten Chapter of New England Commerce"; Mr. William O. Sawtelle, "Captain Samuel Hadlock, Jr., Pioneer Yankee Showman in Europe"; Mr. Chester N. Greenough, "Defoe in Boston";

and Mr. Lawrence S. Mayo, "Governor Hutchinson's Own Copies of His History." Mr. Matthews and several other members presented short notes, memoranda, and documents; other papers were communicated by title. The attendance at these meetings was good, the discussions were lively, and the hospitality of our hosts bounteous.

During the past year the following members have been elected:

Resident:

Allston Burr
Perry Gilbert Miller
Henry Lee Shattuck
Kenneth Grant Tremayne Webster
Walter Benjamin Briggs
Robert Earl Moody
Ludlow Griscom
George Frederick Robinson
Howard Corning

Corresponding:

Harold Robert Shurtleff
Samuel Flagg Bemis
Howard Miller Chapin
Robert Francis Seybolt

Since our last Annual Meeting we have lost seven of our Resident Members:

Charles Sedgwick Rackemann, Resident, 1892, died March 29, 1933; an original member, the length of whose membership, forty-one years, is the age of this Society. He was the last survivor of our fourteen incorporators. For many years before his death he had ranked first among the conveyancers of Massachusetts, heading the leading firm in Boston specializing in this department of law. The best-educated conveyancers almost always cherish a keen historical interest: witness James Savage in this county in the past century, and, of recent years, Sidney Perley in Salem and Don Gleason Hill in Dedham.

James Hardy Ropes, Resident, 1902, died January 8, 1933. Joining this Society in 1902, Mr. Ropes served as Vice-President from 1927 until his death. Excepting for a course of study at the Andover Theological Seminary, he was connected with Harvard University from his entrance with the Class of 1889 until his death; since 1910 he had held the Hollis Professorship of Divinity, the oldest endowed chair in this country. His executive ability caused many administrative burdens to be placed upon him; all these he performed gladly, and President Lowell, whose cousin

he married, often sought his counsel. During the World War he gave almost his entire time to the Massachusetts Food Administration. An ordained minister of the Congregational Church, Mr. Ropes had a spiritual as well as a scholarly insight respecting colonial New England, and was generous in helping students to reach a true understanding of the early Puritans.

HEMAN MERRICK BURR, Resident, 1927, died April 14, 1933. Endeared to a large circle of friends of all ages, young and old, by the charm of his manner, the vivacity of his conversation, and the wide range of his interests, he was one of those persons whose very presence creates an atmosphere of gentleness and learning.

FRANCIS HENSHAW DEWEY, Resident, 1913, died April 20, 1933. Of the same age as Mr. Burr, and his contemporary at the Harvard Law School, Mr. Dewey was born in Worcester and graduated from Williams College in 1876. He was president of the Worcester Art Museum, vice-president and treasurer of Clark University, vice-president of the Memorial Hospital, trustee of Williams College, and a member of the Council of the American Antiquarian Society. His valuable qualities were early appreciated, and he was drawn away from the practice of law to become president and director of many a banking, railroad, and traction corporation.

WALDO LINCOLN, Resident, 1893, died April 7, 1933, in the fullness of years, in the old Governor Lincoln Mansion at 49 Elm Street, Worcester, where he had spent the greater part of his life. He was another of the leading citizens of Worcester and was well known as an antiquarian and genealogist. After a year at the Lawrence Scientific School in Cambridge, his early years were spent in the metal business. When sixty years of age he retired from business, and thereafter published a genealogy of the Waldo family. He served as president of the American Antiquarian Society, and for ten years he was treasurer of Worcester Polytechnic Institute.

JOHN ELIOT THAYER, Resident, 1898, died July 22, 1933. A third of the Worcester trio, he was a lifelong resident of Lancaster. His interests were many and diverse, and he had the intelligence, industry, and means to develop them—birds, trees, flowers, history. One thinks of his beautiful gardens and his well-selected library, but most of all of the charming simplicity of his personality.

ALFRED JOHNSON, Resident, 1915, died January 13, 1933. He served this Society as Registrar for many years, and was our host on more than one occasion. A born orator, a historian by training, but by instinct and heredity a seaman and a man of action, he devoted much of his time and

fortune toward helping others realize the scholarly aims which his own brilliant but erratic career had not achieved.

Many years ago, Mr. Horace Everett Ware left a sum of money to the Society for the erection of a suitable memorial to the Governor and Company of Massachusetts Bay. Your Council felt that, now that the tumult and shouting of the Tercentenary had died away, we might properly expend this fund according to the directions of the donor. With the permission of the First Church in Boston, it was decided to erect in their meeting-house a memorial arch and tablet, balancing the Hutchinson memorial doorway which the Society had erected in the same meeting-house fifteen years ago. The archway, beautifully designed by our associate R. Clipston Sturgis, in perpendicular Gothic style, and carved out in American walnut wood, has worked into it characteristic fruits and flora of New England, together with the arms of Winthrop, Johnson, Dudley, Humphrey, Pynchon, and Saltonstall. The arch encloses a tablet, on which is the inscription:

> *To the memory of the Governor and Company of the Massachusetts Bay in New England, and in peculiar honor to those members of the Company who agreed "to passe the seas (under God's protection) to inhabite and continue in New England," provided the Charter and Government of the Company be transferred thither, and who brought with them this Charter, thus giving the Colony of Massachusetts Bay the responsibility of a self-governing dominion answerable only to God for the conduct of its affairs*

This inscription is followed by the names of the principal members of the company. Below the inscription a large facsimile of the royal charter of 1629 is arranged in a triptych so that it can be examined by visitors. This memorial was dedicated and presented to the First Church by the Society at a special service on May 7, 1933, which was well attended. The Reverend Henry W. Foote conducted the exercises; the Reverend Charles E. Park delivered a historical address. The memorial was unveiled by Peter Brooks Saltonstall, the young son of our associate; presented by Mr. Morison; and accepted on behalf of the First Church by Mr. Arthur W. Moors.

With regard to the Society's publications, Volume XXVIII, continuing the Transactions of the Society, is in course of preparation and may be published in the spring. Two serials have been distributed to contributors. Volumes XXIX and XXX, the Suffolk County Court Records, 1671–1680, have been delayed by the difficulties of the index. A sample of the first volume will be on exhibition at the dinner, and both volumes

should be in members' hands within the course of the subsequent month. Volume XXXI, the gift of a member, containing various Harvard College documents, is also in process. No date of publication, however, has been set.

The Society has continued to contribute to the expenses of publication of the *New England Quarterly*.

The Treasurer submitted his Annual Report, as follows:

Report of the Treasurer

In accordance with the requirements of the By-laws, the Treasurer submits his Annual Report for the year ending November 14, 1933.

Statement of Assets and Funds, November 14, 1933

ASSETS

Cash:		
Income	$11,983.02	
Loan to Principal	*10,398.85*	$1,584.17
Investments at Book Value:		
Bonds (Market Value $84,785.00)	$91,552.50	
Stocks (Market Value $27,917.50)	44,928.13	
Mortgages	10,500.00	
Savings Bank Deposits	2,834.00	149,814.63
Total Assets		$151,398.80

FUNDS

Funds	$139,415.78	
Income	11,983.02	
Total Funds		$151,398.80

Investments as of November 14, 1933

BONDS	*Book Value*
$5,000 Atchison, Topeka and Santa Fe Railway Company General 4's, 1995	$4,237.50
5,000 Bell Telephone Company of Canada First 5's, Series B, 1957	4,062.50
5,000 Canadian Pacific Railway Equipment Trust 5's, 1944	3,872.50
5,000 Cedars Rapids Manufacturing and Power Company First 5's, 1953	4,450.00
5,000 Central New England Railway Company First 4's, 1961	3,512.50

5,000	Central Pacific Railway Company First and Refunding 4's, 1949	$3,762.50
5,000	Chester Water Service Company First 4½'s, 1958	3,375.00
5,000	Chicago and Western Indiana Railway Company Consolidated 4's, 1952	3,640.00
5,000	Chicago Junction Railways and Union Stock Yards Company Mortgage and Collateral Trust Refunding Gold 5's, 1940	3,762.50
2,000	Cleveland, Cincinnati, Chicago and St. Louis Railway Company Refunding and Improvement 4½'s, Series E, 1977	1,485.00
5,000	Indianapolis Power and Light Company First 5's, 1957	4,593.75
5,000	Minneapolis, St. Paul and Sault Ste. Marie Railway Company First Refunding 6's, Series A, 1946	5,000.00
5,000	New England Telephone and Telegraph Company First 5's, Series A, 1952	4,875.00
5,000	New York Water Service Company First 5's, 1951	3,650.00
5,000	Oregon-Washington Railroad and Navigation Company First and Refunding 4's, Series A, 1961	4,105.00
5,000	Public Service Company of New Hampshire First and Refunding 4½'s, Series B, 1957	4,700.00
5,000	Texas Corporation Convertible Debenture 5's, 1944	5,012.50
5,000	Texas Electric Service Company First 5's, 1960	4,437.50
5,000	Toledo Edison Company First 5's, 1962	4,881.25
2,000	Union Pacific Railroad Equipment Trust 7's, Series A, 1934	2,000.00
2,500	United States Cold Storage Company First Mortgage 6's, 1946	2,500.00
4,000	United States Cold Storage Company First Mortgage 6's, 1945	4,000.00
5,000	Western Union Telegraph Company 5's, 1960	5,137.50
5,000	Wickwire Spencer Steel Company Prior Lien Collateral and Refunding 7's, 1935, Certificate of Deposit	500.00
Total Bonds		$91,552.50

STOCKS		
50 shares American Telephone and Telegraph Company	$8,593.63	
50 shares Consolidated Gas Company of New York Common	3,077.50	
100 shares Electric Bond and Share Company Cumulative $6.00 Preferred	10,600.00	
50 shares E. I. Du Pont de Nemours & Company	2,683.75	
50 shares First National Bank of Boston	1,750.00	
1 share First National Bank of the City of New York	1,565.00	
240 shares General Electric Company Common	5,719.50	
50 shares Insurance Company of North America	1,963.75	
40 shares Radio Corporation of America Common	0.	
5 shares Travelers Insurance Company	2,225.00	
50 shares United States Cold Storage Company 7% Preferred "A" 50 shares United States Cold Storage Company Common	6,750.00	
TOTAL STOCKS		$44,928.13
First Mortgages on improved property in Greater Boston		10,500.00
Deposit in Warren Institution for Savings	$2,793.38	
Deposit in Provident Institution for Savings	40.62	2,834.00
TOTAL INVESTMENTS		$149,814.63

COMPOSITION OF FUNDS, NOVEMBER 14, 1933

Publication Fund, established in 1893 by gift of $100 from Quincy Adams Shaw: composed of sundry small gifts and portions of the Income which were added from year to year. Income only to be used for Publications	$10,000.00
General Fund, established in 1893: composed of Admission Fees and Commutations added to Principal. Income only to be used for Current Expenses	27,405.57
Benjamin Apthorp Gould Memorial Fund, established in 1897 and 1898 by subscriptions in his memory. Income only to be used	10,000.00
Edward Wheelwright Fund, established in 1900 under his will without restriction as to use	20,000.00
Robert Charles Billings Fund, established in 1903 under his will. Income only to be used for Publications	10,000.00
Robert Noxon Toppan Fund, established in 1904 by a gift in his memory from his widow. Income only to be used	5,000.00

Robert Charles Winthrop, Jr., Fund, established in 1905 under his will. Increased by $2,000 in 1924 under the will of Elizabeth Winthrop. Income only to be used	$5,000.00
Andrew McFarland Davis Fund, established in 1908 by a gift from him to be added to the permanent publication funds. Income only to be used	2,000.00
William Watson Fund, established in 1916 under his will without restriction as to use	1,000.00
Horace Everett Ware Fund, established in 1916 by a gift of $500 from him. Increased under his will by sundry installments of cash since 1919. To be accumulated and used for Massachusetts Bay Colony monument or other memorial	1,448.50
George Vasmer Leverett Fund, established in 1920 under his will. Income only to be used for Publications	30,000.00
Henry H. Edes Bequest, established in 1923 under his will. To accumulate until it reaches the sum of $3,000, when it shall be called the Martha Rebecca Hunt Fund. Income only to be used for special purposes	2,793.38
Henry H. Edes Memorial Fund, established by sundry subscriptions from 1923 to 1925. To accumulate until it reaches the sum of $10,000. Income only to be used for Publications	4,768.33
George Nixon Black Fund, established in 1929 under his will without restriction as to use	10,000.00
TOTAL FUNDS	$139,415.78

CHANGES IN PRINCIPAL OF FUNDS

Total Funds, November 14, 1932		$149,868.04
Add—Additions to General Fund:		
Commutation, two life memberships	$200.00	
Received 40 shares Radio Corporation of America Common from General Electric Company on February 20, 1933	0.	
Savings Bank Interest transferred from Income	1.28	201.28
Add—Additions to Special Funds:		
Horace Everett Ware Fund		174.07
Henry H. Edes Memorial Fund		269.91
Henry H. Edes Bequest		81.95
		$150,595.25

Deduct—Charges to General Fund:			
Loss on Sales of Securities:			
$5,000 Central Manufacturing District 6½'s, 1944	$1,202.00		
12,000 New River Company 5's, 1934	724.80	$1,926.80	
Reduction in book value of $5,000 Wickwire Spencer Steel Company 7's, 1935, to present estimated value		4,500.00	
		$6,426.80	
Deduct—Charges to Special Funds:			
Horace Everett Ware Fund, for Memorial		4,752.67	$11,179.47
TOTAL FUNDS, NOVEMBER 14, 1933			$139,415.78

INCOME CASH RECEIPTS AND DISBURSEMENTS

Balance, November 14, 1932			$16,602.96
RECEIPTS:			
Interest		$5,961.61	
Dividends		1,811.00	
Annual Assessments		660.00	
Admission Fees		90.00	
Sales of the Society's Publications		146.75	
Contributions		245.00	
TOTAL RECEIPTS OF INCOME			8,914.36
			$25,517.32
DISBURSEMENTS:			
Editor's Salary		$1,000.00	
Services to Editor		44.00	
Publications:			
Volume 28	$1,113.58		
Volumes 29 and 30	6,512.19		
Volume 31	240.00	7,865.77	
New England Quarterly		2,000.00	
Antique Book Paper		1,100.58	
Annual Dinner		452.40	
Accrued Interest on Securities Purchased		142.61	
Stewart, Watts and Bollong, accounting services		100.00	
Stenographic Services		100.00	
Storage on Plates and Stock		69.88	
Notices and Other Expenses of Meetings		55.85	
Postage and Express		42.03	

Bibliography of American Historical Writings	$50.00	
Union Safe Deposit Vaults	23.50	
Insurance on Stock	21.60	
Proportionate Cost of Bill of Appeal—Estate of James B. Wilbur	15.00	
Stationery and Office Supplies	6.00	
Federal Tax on Checks	1.10	
Interest on Henry H. Edes Memorial Fund added to Principal	269.91	
Interest on Horace Everett Ware Fund transferred to Principal	174.07	
Total Disbursements of Income		$13,534.30
Balance of Income Cash, November 14, 1933		$11,983.02

Principal Cash Receipts and Disbursements

Loan to Principal, November 14, 1932		*$7,089.61*
RECEIPTS:		
$12,000 New River Company 5's, 1934	$10,405.20	
5,000 Central Manufacturing District of Los Angeles 6½'s, Series C, 1944	3,898.00	
2,000 Union Pacific Railroad Company Equipment Trust 7's, 1933	2,000.00	
Commutation, two life memberships	200.00	
Transferred from Income to Principal:		
Horace Everett Ware Fund Income	174.07	
Henry H. Edes Memorial Fund Income	269.91	
Interest on Warren Institution for Savings Account	81.95	
Interest on Provident Institution for Savings Account	1.28	
Total Receipts of Principal		17,030.41
		$9,940.80
DISBURSEMENTS:		
$5,000 Public Service Company of New Hampshire First and Refunding 4½'s, Series B, 1957	$4,700.00	
5,000 Texas Electric Service Company First 5's, 1960	4,437.50	
5,000 Toledo Edison Company First 5's, 1962	4,881.25	
2,000 Cleveland, Cincinnati, Chicago and St. Louis Railway Company 4½'s, 1977	1,485.00	

Horace Everett Ware Fund, for Memorial	$4,752.67	
Interest on Warren Institution for Savings Account, added to Principal	81.95	
Interest on Provident Institution for Savings Account, added to Principal	1.28	
Total Disbursements of Principal		$20,339.65
Loan to Principal, November 14, 1933		$10,398.85

James M. Hunnewell
Treasurer

Report of the Auditing Committee

The undersigned, a Committee appointed to examine the accounts of the Treasurer for the year which ended November 14, 1933, have attended to their duty by employing Messrs. Stewart, Watts and Bollong, Public Accountants and Auditors, who have made an audit of the accounts and examined the securities on deposit in Box 1052–E in the Union Safe Deposit Vaults.

We herewith submit their report, which has been examined and accepted by the Committee.

M. B. Jones
R. Ammi Cutter
Henry L. Shattuck
Auditing Committee

The several reports were accepted and referred to the Committee of Publication.

On behalf of the committee appointed to nominate officers for the ensuing year the following list was presented; and a ballot having been taken, these gentlemen were unanimously elected:

President Samuel Eliot Morison
Vice-Presidents Hon. Arthur Prentice Rugg
Alfred Marston Tozzer
Recording Secretary James Phinney Baxter, 3rd
Corresponding Secretary Hon. Robert Walcott
Treasurer James Melville Hunnewell
Registrar Robert Dickson Weston
Member of the Council for Three Years Zechariah Chafee, Jr.

After the meeting was dissolved, dinner was served. The guests of the Society were Mr. Charles C. Abbott, Professor Laurence Binyon, Mr. Frank E. Bridgman, Mr. Wilfred J. Doyle, Professor Ronald M. Ferry, Professor Alexander Forbes, Professor John Farquhar Fulton, and Mr. Clarence E. Walton.

After the dinner Professor Fulton and the Hon. Leverett Saltonstall addressed the Society and its guests.

December Meeting, 1933

A STATED MEETING of the Society was held, at the invitation of Mr. AUGUSTUS P. LORING, Jr., at No. 2 Gloucester Street, Boston, on Thursday, December 21, 1933, at three o'clock in the afternoon, the President, SAMUEL ELIOT MORISON, in the chair.

The records of the Annual Meeting in November were read and approved.

The Corresponding Secretary reported that letters had been received from Mr. JOSEPH HENRY BEALE, Mr. PAUL BIRDSALL, and Mr. JEFFREY RICHARDSON BRACKETT accepting Resident Membership in the Society.

Mr. CHANDLER BULLOCK, of Worcester, and the Hon. FRED TARBELL FIELD, of Boston, were elected Resident Members; Mr. MILTON ELLIS, of Orono, Maine, and Mr. JOHN FARQUHAR FULTON, of New Haven, were elected Corresponding Members; and the Hon. FRANKLIN DELANO ROOSEVELT, of Washington, D. C., and Mr. CHARLES FRANKLIN THWING, of Cleveland, were elected Honorary Members of the Society.

Mr. CLIFFORD K. SHIPTON presented the following paper:

The New England Clergy of the "Glacial Age"

THERE has been no more striking reversal of historical judgment than that which concerns the Puritan clergy and their place in New England's development. The historians of our fathers' times worshipped at their shrines, but modern writers make them the villains of the colonial drama. The theory prevailing at present seems to be that Massachusetts and its satellite colonies were ruled tyrannously by a bigoted and backward clergy until suddenly liberated by the fall of the theocracy sometime between 1682 and 1725. Different historians choose different dates for the emancipation, but the theme is the same.

This interpretation can be traced back at least to Edward Randolph and Lord Culpepper, who reported to the home government in pre-Andros days that the generality of the people of New England were weary of the government and of the burdens which the clergy-ridden magistrates put

upon them. Randolph wrote that only an eighth part of the inhabitants were freemen, and that even in this minority there were many men of good estate who wished to see a new government "to secure & protect them in their Just rights & propertyes." The clergy, he added, refused baptism to thousands of children whose parents were hungering and thirsting after the rites of the Church of England.[1] The Reverend Samuel Myles, of King's Chapel, said that not one tenth of the inhabitants were members of Congregational churches.[2] These statements, although denied at the time, have grown in the retelling until the author of the best modern work on the Andros period solemnly says that of the inhabitants in "the towns of Maine and probably in those of New Hampshire, the majority was Anglican."[3] It was fifty years after Andros's time before the Anglicans were strong enough to organize a church in those places, and they were never numerous enough there in colonial times to maintain one without aid from England. The Episcopalian minority was not large enough to trouble the established Congregational churches.

The theory that a majority were yearning to be liberated from the bonds of the Puritan clergy had its test when under Andros the laws regarding compulsory church attendance and church rates were permitted to lapse. The New Englanders did not run whooping out of their meeting-houses like schoolboys at the end of a term. A few of them closed their fists upon the pennies in their pockets,[4] but no parsons starved or preached to empty churches. As a matter of fact, when Ratcliffe arrived in Boston, the eager multitude of oppressed Anglicans failed to materialize. Indeed, there were not enough to feed and clothe him, and Randolph had to suggest taking money from the collection bags in the Congregational churches for that purpose. And although in the whole colonial period the people who were discontented with the New England system for any religious or political reason tended to call themselves Episcopalians, they were never numerous enough or financially enthusiastic enough to support the second Anglican church in Boston.[5] Most modern writers have assumed that because they themselves dislike the theocracy, the majority of the colonists felt the same way. "We know," says Thomas J. Wertenbaker, without divulging the source of his information, "that public sentiment . . . by no means favored

[1] *Edward Randolph* (Prince Society Publications), II. 217, 220–222, 256; III. 92, 161, 178, 187, 286.

[2] *Andros Tracts* (Prince Society Publications), II. 37.

[3] Viola F. Barnes, *The Dominion of New England*, p. 124.

[4] 4 *Coll. Mass. Hist. Soc.*, VIII. 258, 571.

[5] Cotton Mather makes some amusing comments on this situation in his Diary (7 *Coll. Mass. Hist. Soc.*, VIII. 804).

the old narrow administration in local affairs."[1] Hence, the argument continues, when the religious requirement for the franchise was removed by the charter of 1691, the oppressed masses "made good their right to believe as they would and live their lives as they chose" by using the ballot to overthrow the theocracy.[2]

Much of the phraseology used in this argument can be traced back to the appendix of Robert Calef's *More Wonders of the Invisible World*. The best that can be said for it is that Calef himself seems to have comprised a very large part of his minority party, and that he did not have the same standards of intellectual honesty that his opponents showed. (Witness his insinuations that the Mathers were lecherous in their investigation of Margaret Rule.) The picture, which is built up of logic, a dislike of New England, and Calef's statements, is not supported by contemporary records. I know of no evidence of discontent under the theocracy except among the small merchant class in Massachusetts and the Mason group in New Hampshire. Randolph, to his great disgust, found the Dudley government just as Puritan as the old Governor and Company.[3] It was asserted that not one man in seven hundred supported the Andros régime;[4] and not even the economic historians would blame all that on his taxation. As a defender of the theocracy I am not happy to point out that at all times the Boston mob gave evidence, some of it violent and some of it filthy, of its support of the old order. After the fall of Andros two popularly elected conventions voted to return to the old charter government, and when the councillors elected under the province charter gathered for the first time, they found that 46 per cent of their number had sat seven years before in the old Court of Assistants. This was a smaller turnover than had taken place in the last seven years under the old charter.

Likewise New Hampshire acted most strangely for a downtrodden victim of a bigoted theocracy. When, in 1680, the colony was "liberated" as a result of the royal order of 1679, its new assembly, elected on a very wide franchise and certainly not dominated by John Pike, the lone parson then in the colony, addressed the Massachusetts government in tones of sad affection, lamenting the cruel separation.[5] When, in 1689, New Hampshire was free to go suitoring again, she turned once more to the Bay

[1] *The First Americans*, p. 108.

[2] James Truslow Adams, *The Founding of New England*, p. 450. For more of the same, see *id.*, pp. 447, 449; Homer C. Hockett, *Political and Social Growth of the United States*, p. 120; Marcus W. Jernegan, *The American Colonies*, p. 160; Wertenbaker, *First Americans*, pp. 108–109.

[3] *Randolph*, IV. 92, 107.

[4] *Andros Tracts*, II. 37–39, 71.

[5] Jeremy Belknap, *History of New Hampshire*, I. 178.

government. As regards either colony, the picture of masses yearning to be freed from the rule of the theocracy rests upon normally prejudiced logic and not on contemporary evidence.

Let us assume that the old charter government was an unpopular clerical tyranny; let us assume that it was overthrown by the newly enfranchised masses (those of the people who had the necessary 40*s*), and we have the logical picture of the ministers battling to regain their lost power.[1] The attitude of the parsons toward the old charter is interesting. When it was first threatened, it was the country ministers and the survivors of the first, the English-educated, generation who urged Increase Mather to resist, holding that it was "better to trust in God then in Princes."[2] On the other hand, many of the clergy and many very Puritan laymen either favored submitting to Charles II or participated in the Andros government. Among these were the Reverend Samuel Willard of the Old South, Governor Simon Bradstreet, Thomas Brattle, John Eyre, Nathaniel Oliver, William Stoughton, and Gersholm Bulkley, of Connecticut, all good churchgoers. All pious men did not think alike as to the sanctity of the old charter.

But by 1689 there were very few native-born men of importance who were not opponents of the Andros régime and ready to participate in what has been portrayed as the counter-revolution of the clerics. Of the men who arrested Andros in the Town House at least ten had been of the moderate group of laymen who had supported the Dominion, and four were of the non-freeman class. The leader of the rebel forces which moved against the Castle was a lifelong Anglican. In like manner the clergy put aside their differences and presented a united front against the Andros government. As early as 1686 Randolph had complained that they were giving "encouragement to phannatticks of all Sects," out of hostility to the Church of England,[3] and when he and Andros were brought prisoners into the council chamber on April 18, they found the clergy shoulder to shoulder against them, conservative, liberal, and radical—Cotton Mather, Willard of the Old South, and Milburn the Anabaptist. Randolph believed that the clergy, longing to regain their place of authority in the state, had made the revolution and taken care to infect the other colonies. The pamphlet literature and the correspondence of the period do not make it appear so clearly that the ministers organized the attack, but they may have been the leaders, for Cotton Mather said that "*the Care of the Churches*, was what lay at the Bottom of all."[4]

[1] For example, Vernon L. Parrington, *The Colonial Mind*, p. 87.

[2] 4 *Coll. Mass. Hist. Soc.*, VIII. 280–281, 312.

[3] *Randolph*, IV. 106.

[4] *Andros Tracts*, III. 174.

What was it that made the clergy change their minds and join in the revolution against Andros, a step which to economic historians seems "unreasonable and impolitic"? Was it a longing to withdraw again from the path of world affairs, or was it a sudden spasm of regret for their lost authority? One should not forget that these people had the strange idea that religion and things of the spirit were nearly as important as making money or carrying on historical research. At the time when Samuel Willard advocated surrendering the charter to the discretion of Charles II, there was little on the religious horizon to disturb him; but shortly thereafter the black smoke of the Inquisition began to boil up. Ichabod Chauncy (H. C. 1651) wrote back from England that the persecution of Dissenters had broken out there again, and that the Duke of York was in the pay of Louis XIV, whose rise was menacing Protestantism as had the Armada a century before.[1] The accession of James II and the revocation of the Edict of Nantes rudely awakened those members of the New England clergy who had forgotten that it was a small part of the European world in which men of their faith were free from the menace of dungeon and stake. They knew, as the result of letters from the English and Irish Dissenters, more of the character of the new king than some modern American historians seem to know. They knew that in Scotland he had subjected the great Presbyterian majority to the blackest kind of tyranny. Only Anglicans could hold office or vote, every statute had to be approved by his agents, Presbyterian preachers were hunted down like wild animals, public worship by Dissenters was forbidden, and halter and torture were freely applied. In parts of England the prisons were full of Dissenters. Many of them were well known in the colonies, and wrote Increase Mather urging him to resist the spread of such tyranny to New England shores. Under such conditions even the country parsons of New England sat "longing (& yet trembling) to heare what newes" came from Monmouth's rebellion.[2] Randolph noted that while the rising of the West was in progress "not one Minister op'ned his lipps to pray for the King hoping that the tyme of their deliverance from monarchy & popery was at hand."[3] Dissenting parsons like Charles Morton came fleeing before the wrath of James to tell the story of their persecution and to stiffen New England's determination to resist.

But, after all, James was a thousand leagues away. Is it possible that the New England clergy were right in seeing a menace in the Andros régime which some modern historians praise as the victory of light over the dark-

[1] 4 *Coll. Mass. Hist. Soc.*, VIII. 617–620.

[2] *Id.*, p. 253.

[3] *Randolph*, IV. 105.

ness of bigotry? Well, Randolph urged the English government to send out Anglican missionaries who were to be supported by the confiscated estates of the "traitors" or by taxes on the Congregational churches, and to have such privileges as a monopoly of the right to perform marriages.[1] He suggested royal intervention in the affairs of the college,[2] and hinted that the clergy might be silenced from London.[3] These threats were given point by the statement of an Andros councillor that the New England colonies were not parts of England, but conquered territory like Ireland, and therefore subject to the despotic and absolute rule of the Crown.[4] Andros himself, it was said, threatened the Puritans with the fate of the Huguenots if they continued to oppose him.[5] Governor Cranfield of New Hampshire urged upon the Board of Trade that "the college at Cambridge [be] utterly extirpated, for from thence those half-witted Philosophers turn either Atheists or seditious Preachers."[6] He ordered the Congregational clergy of New Hampshire to administer the sacraments according to the Anglican liturgy to any who wished it, and commanded the churches to admit all suitable and not vicious persons to membership.[7] He clapped Parson Joshua Moodey into jail for not obeying his ecclesiastical fiat, and sent Seaborn Cotton scuttling to Boston.

It is evident, then, that when the clergy joined in, or led, the overthrow of Andros, they were fighting for something more than the regaining of the political importance which they had enjoyed under the old charter. In fact, that document, the Magna Carta of those powers which they are supposed to have fought so bitterly to regain, seems to have been of little importance in their eyes. It was not until some time after the revolution that Massachusetts decided to go back to the old form of government, and no less a person than Calef is the authority for the statement that Cotton Mather and some of the other ministers were the chief opponents of that step.[8] For the next half century they contrasted the wickedness of their own times with the piety of the years before 1680, but, as far as I know, not one of them ever expressed a desire to have the old charter restored. The restoration of the old order was a part of the political programme

[1] *Randolph*, III. 146–148, 180; IV. 90; VI. 189; *Andros Tracts*, III. 200.

[2] *Randolph*, III. 290.

[3] *Id.*, pp. 322–323.

[4] *Andros Tracts*, II. 76.

[5] *Id.*, 45.

[6] Samuel G. Arnold, *History of the State of Rhode Island*, I. 474.

[7] Belknap, *New Hampshire*, I. 205–206.

[8] *Andros Tracts*, II. 200; Robert Calef, *More Wonders of the Invisible World*, pp. 149–151.

advanced by Elisha Cooke's party, but the Mathers fought him savagely, and not one of the minor members of the clergy was to be found supporting him.[1]

By common consent Increase Mather is held to have been the soul of the theocracy, as the old charter is held to have been its foundation. But he and his son Cotton maintained that the new province charter, the adoption of which is regarded as marking the end of the rule of the clergy, was a far better document, containing "New and more Ample Privileges; Without which, the *Old* would not have been Sufficient."[2] Had the enfranchisement of those not church-members had the significance that modern writers give to it, the elder Mather, astute politician that he was, would not have praised the new charter and claimed the glory of having obtained it; he would have proved conclusively that some of his numerous enemies were responsible for it. For many years the new General Court utilized clerical advice as had the old government. The House of Representatives was the tool with which the religious conservatives tried to dislodge the Leverett-Colman group from the control of the college, and for fifty years every politician had to draw on the cloak of religious fundamentalism if he expected to enjoy the favor of the enlarged electorate.

The striking phenomenon of the decline of clerical influence in New England in the years between 1680 and 1740 has been generally misinterpreted through too much rationalizing and not enough searching into the records of the times. The transition has been oversimplified by using the Mathers to personify the old order. It was not their secular enemies—Calef, Checkley, the Banisters, and the Franklins—who defeated them and pushed them out of their important place in public life, but a group of ministers, together with Thomas Brattle and John Leverett. These men opposed the Mathers, not because they differed from them regarding matters of theology or the relation of Church to State, but primarily because of the incorrigible meddling of the pastors of the Second Church in the affairs of other parishes.[3] Both the Mathers were among the theological progressives of their generations, but they lived long enough to be passed by their swiftly moving times, and to have their seventeenth-century religious theatricals become ridiculous in the eyes of younger parsons who read the *Spectator* and in it saw held up in derision such performances as Cotton Mather's punning *Vigilantius*.

[1] Sketches of Elisha Cooke, Timothy Lindall, and Jonathan Belcher in *Sibley's Harvard Graduates*, IV.

[2] *Andros Tracts*, III. 155, 169–173; Cotton Mather's Diary, 7 *Coll. Mass. Hist. Soc.*, VII. 148.

[3] See sketches of Pemberton, Colman, and Wadsworth in Sibley, IV.

Obviously, then, those historians who have dated the fall of the theocracy from 1701, when Increase Mather was forced from the presidency of Harvard College, have overestimated the importance of that change. There had been minor points of difference between Mather and Samuel Willard, who replaced him, but had preferential voting been the practice, the members of the Mather faction would probably have cast their third votes for Willard.

It is a part of the popular theory that John Wise blocked a Mather plot to establish some sort of Presbyterian tyranny over the churches of New England. Modern writers have formed their judgment in this matter without reading Increase Mather's statement of his position,[1] which shows his ideas to have been very near those of Wise. The leaders of the new movement seem to have been Cotton Mather, Ebenezer Pemberton, and others of the younger group, who were engaged in a struggle to bring their churches to a gentler and more liberal Calvinism.[2] Their opponents were the elderly, conservative, and usually uneducated laymen whom Wise wished to see put in control as ruling elders. Only young liberals signed the earliest set of surviving proposals for clerical organization (1704).[3] A year later, when they had secured the signature of Increase Mather (perhaps by the argument that organization was needed to combat the growing irreligion), the proposals were published.

Although Wise is generally pictured as the victor in this struggle, he failed to check the liberal tendencies of the times. Lay elders were appointed in only a few of the most conservative churches, and the parsons generally secured the adoption of the Half-Way Covenant and the abolition of public relations by candidates for church-membership. The Saybrook Platform provided for the establishment in Connecticut of such a system as that proposed by the Boston ministers, and it served as a bulwark against the illiberal and dogmatic tendencies of the Great Awakening. In Massachusetts and New Hampshire ministerial associations were generally formed, at least one of them[4] going the whole distance of the proposals of 1705. Since neither the proposals nor Wise's writings had, to contemporaries, anything of the significance given to them by modern writers, deceived by the magnifying haze of the Revolution, few of the men involved played their parts with consistency. But the exceptions are only exceptions, and not the rule.

That other "attempt to restore the clerical tyranny of the theocracy,"

[1] *Disquisition Concerning Ecclesiastical Councils* (Boston, 1716).

[2] See below, pp. 35–37.

[3] Photostat of agreement of June 1, 1704, at Massachusetts Historical Society.

[4] Particularly the Brookfield Association. *Congregational Quarterly*, XII. 277 ff.

the proposed Massachusetts Synod of 1725, has been misunderstood because it has been regarded through the eyes of its opponents. The accusations which Timothy Cutler and Samuel Myles made of the evil intent of the Congregational ministers have been taken as gospel by some modern writers,[1] but contemporary evidence all supports the sorrowful protest of Colman to Bishop Kennett of Peterborough that in all the debate among the Congregational ministers for years past on the subject of the proposed synod, not one word had been dropped which might have been construed as prejudicial to the interests of the Anglicans here.[2] In this instance, as in the others mentioned, the oft-described efforts of the New England clergy to win back their old civil and ecclesiastical authority simmer down to nothing more than reasonable steps to deal with the growing irreligion of the times.

Another charge frequently levelled against the New England clergy is that they were intolerant, and it is frequently said that the decline of their influence was due to popular resentment against their bigoted persecution of the Baptists and Quakers.[3] In this regard it should be obvious that the Boston executions could not have shaken down the clergy all over New England, that the matter had pretty well blown over before the decline in clerical influence became serious, and that, at least after 1680, the Boston mob was much less tolerant of Quakers and Baptists than was the ministry. The later prosecutions on religious grounds, such as that against Thomas Maule, were clearly initiated and pushed by the civil magistrates, not by the clergy. Single sentences are frequently printed from the works of the New England parsons to illustrate their intemperate bigotry, but when these are compared with the works, for example, of the Jesuit Râle or Quakers like Maule, Story, or Keith, it would seem that the clergy of the Congregational churches were a little above the level of their times in the matter of language. Of course this has no necessary connection with practice. In 1680, Increase Mather seems to have held that the toleration of Anabaptists was well enough for England, but that if they were tolerated here they would come in such numbers as to swamp the colonies.[4] The opposition to "that cursed Bratt, Toleration," seems to have come chiefly from the survivors of the immigrant ministers,[5] the country par-

[1] For example, Calvin R. Batchelder, *History of the Eastern Diocese.*

[2] Ebenezer Turell, *The Life and Character of the Reverend Benjamin Colman* (Boston, 1749), pp. 136–141.

[3] Recently by J. T. Adams, *Provincial Society*, p. 63.

[4] 4 *Coll. Mass. Hist. Soc.*, VIII. 291–292.

[5] *Id.*

sons,[1] and some of the magistrates.[2] To all the clergy the enthusiasm and disorder of the Baptist and Quaker meetings and the illiteracy of their preachers were abhorrent, for of course erudition and logic were the foundation stones of New England Puritanism.[3] I-told-you-so's burst from the Congregational pulpits when the unsavory records of such Baptist preachers as Gorton of New London[4] and May, alias Axel, of Boston[5] came to light.

The Mathers were generally, in the matter of tolerance, ahead of the older and the country preachers. In 1681, Increase Mather denied the persecution of any group "meerly on account of their Opinion," and pointed out that no one was being molested under pretence of maintaining law and order.[6] Cotton Mather, in 1692, preached a sermon taking a strong stand against the persecution of "erroneous and conscientious dissenters by the civil magistrate." He censured the "zeal of former times" which had sent the "mad quakers unto the gallows instead of bedlam,"[7] and he expressed a desire that the civil magistrates permit heretics to go their own way unless they created disturbances that would be intolerable coming from men of any creed.[8] He praised the province charter for providing "a Righteous and Generous Liberty of Conscience."[9] In 1700, referring to the Quaker episode, he said: "If any man will appear in the *Vindication* of it, let him do as he pleases; for my Part I will not."[10] Some years later, when the Boston mob became excited over the manufacture of a popish image in the town, he tried to quiet the people by saying that it was but "an ornamental Business," and was denounced for his pains.[11] It is only by assuming an impossible duplicity that one can square such of Mather's statements with Mr. Parrington's assertion that the younger Mather did not have "a grain of liberalism in his makeup."[12]

In regard to the toleration of the Episcopalians the question was somewhat different. According to an anti-Andros pamphlet,

[1] 4 *Coll. Mass. Hist. Soc.*, p. 478.

[2] *Id.*, p. 508.

[3] Samuel Willard, *Ne Sutor Ultra Crepidam* (Boston, 1681).

[4] Sibley, IV. 194.

[5] Cotton Mather's Diary, 7 *Coll. Mass. Hist. Soc.*, VII, *passim.*

[6] Brooks Adams, *Emancipation of Massachusetts*, p. 297. Cf. Kenneth B. Murdock, *Increase Mather*, p. 142.

[7] Abijah P. Marvin, *Cotton Mather*, p. 111; Mather, *Optanda* (Boston, 1692), pp. 42–45.

[8] *Memorable Providences* (Boston, 1689), appendix, p. 11.

[9] *Andros Tracts*, III. 170.

[10] *Magnalia* (ed. 1702), Bk. VII. 23.

[11] Diary, 7 *Coll. Mass. Hist. Soc.*, VIII. 445.

[12] *Colonial Mind*, p. 113.

> The good people of *New-England* want not a kindness for the *Church of England* . . . they Believe there are Thousands in that Communion with whom they Expect Eternal happiness in the same Heaven. Such Renowned Names as those of *Burnet*, *Tillotson*, *&c* are as precious and as Valued amongst the people of *New-England*, and their *Books* as much Read and Lov'd and Liv'd, as with any here at home.[1]

The Puritans still insisted that they did not differ from the Church of England in doctrine, but only as to liturgy and ceremonies.[2] Mather, in England in the service of the colony, was assisted by Bishop Burnet and Archbishop Tillotson, and after his return he said that

> Had the *Sees* in *England*, fourscore Years ago, been filled with such Arch-Bishops, and Bishops, as those which King *William* . . . has preferred to Episcopal dignity, there had never been a *New-England*.[3]

John Barnard of Marblehead and Benjamin Colman of Boston corresponded freely with the heads of the Anglican Church. To the series of progressively liberal statutes dealing with the minor sects which the legislatures of Massachusetts and Connecticut enacted after 1692, culminating with the admission of organized Quaker, Baptist, and Anglican churches into the Massachusetts religious establishment, the Congregational clergy made no objections.

What, then, was behind the terrific brawls which broke out as soon as Timothy Cutler was established at Christ Church, Boston? Not intolerance on the part of the Congregational ministers. They had been getting on famously with the English-educated Anglican clergymen here when Cutler and Myles, both Puritan apostates, opened a bitter offensive against the New England system, threatening to bring down royal intervention and to subvert completely the college and the churches. These two were no champions of liberty against Puritanism. To Cutler, at least, both Tillotson and Burnet were heretical, and most Dissenters were condemned to the unpleasant side of the hereafter.[4] Colman and several of the Episcopalian ministers complained to the English bishops that Cutler and Myles were compelling the Congregationalists to close ranks in self-defence, and the Bishop of London reproved the trouble-makers. The case for the toleration of Anglicanism by the Puritan clergy may be rested upon the testimony of a half dozen of England's greatest bishops.

The amount of material which could be presented to acquit the rank

[1] *Andros Tracts*, II. 73.

[2] *Id.*, I. 68.

[3] *Magnalia* (ed. 1702), Bk. III. 10.

[4] See sketch of Cutler in Sibley, V.

and file of the New England parsons from the charge of intolerance is indeed embarrassing. Two or three examples will suffice. Thomas Prince said:

I am for leaving every one to the freedom of worshipping according to the light of his conscience; and for extending charity to every one who receives the Gospel as the rule of his faith and life.[1]

And Benjamin Colman laid down a rule of conduct which could not be subscribed to by the present clergy of that great church which uses the word "Puritan" as a synonym for narrow superstition:

It is indeed best to err on the charitable Side, and no Temper is more hateful than a censorious, jealous, judging one, suspecting every Body of Evil but our selves, and a few whom we are fond of, confining the Church of Christ to a narrow Compass, and Salvation to those only of our own Persuasion. . . . There are some Practices and Principles that look Catholic, which though I cannot reason my self into, yet I bear a secret Reverence to in others, and dare not for the World speak a Word against. Their Souls look enlarged to me, and mine does so the more to my self, for not daring to judge them.[2]

These were the words of pastors of great urban churches, men who belonged to the liberal wing of the clergy. Israel Loring was a country parson who was usually to be found in the conservative camp. In 1737, he was called to preach the Election sermon, which was a sort of keynote address for the coming session of the General Court. At this time the legislature was taking steps toward the admission of the chief religious minorities to the same footing that the Congregational churches enjoyed, steps which meant strife and starvation for the pastors of many of the old parishes. Nevertheless, Loring told the General Court:

Unity of the Faith is not to be expected, till we get to Heaven. . . . By all Means, let us espouse generous Principles; let us breathe a catholick Spirit; let us be one with every one, that is one with Jesus Christ; whether they be Lutherans, or Calvinists, Episcopalians, or Presbyterians, Congregationalists, or Antipœdobaptists; or whatever other Denomination they may be of.[3]

It is not generally realized that in theory any man of good life who had experienced regeneration, regardless of his sect or theological opinions, was eligible for full membership in the New England churches:

In the same Church there have been *Presbyterians*, *Independents*, *Episcopalians* and *Antipædobaptists*, all welcome to the same Table of the Lord when they have

[1] *Chronological History* (Boston, 1826), p. xxi.
[2] *Parable of the Ten Virgins* (2d ed., Boston, 1747), pp. 56–57 (first published, 1707).
[3] *The Duty of an Apostatizing People* (Boston, 1737), p. 67.

manifested to the Judgment of Christian Charity a work of Regeneration in their souls.[1]

There is record of many Anglicans who were members of Congregational churches for lack of Episcopalian places of worship. This was real toleration, not mere laxness or latitudinarianism, for men still believed the tenets and forms of their sects to be of great importance.

Not only were the clergy tolerant of the theological differences between the sects: they led the way for their congregations in the changes which were taking place in Puritanism, ameliorating its horrors and giving to its Deity at least the virtues of a human being. In the reforming Synod of 1679–80, for instance, they voted to permit private examination of candidates for church-membership in place of the public confession, and they accepted the Half-Way Covenant. This softening of Puritanism was unpopular with the laity. Governor William Leete, of Connecticut, protested to Increase Mather.[2] When Cotton Mather wished to introduce these reforms at the Second Church, he had to do it by trickery because of the opposition of the leading laymen.[3] His enemy, the Reverend Ebenezer Pemberton, angered the elders of the Old South by sneaking candidates into church-membership without public relations. Councillors Sewall and Dudley, not Mather and the older clergy, led in the efforts to drive Leverett, Appleton, Colman, and the other young liberals from Harvard. Out on the frontier Solomon Stoddard advocated accepting the doubtful candidates for church-membership and letting grace and good fellowship work upon them, but after his death his parish relapsed to the harsher religion. The church at Cromwell, Connecticut, to take another example, was led by a young minister, Joseph Smith, to a point of religious liberalism which it did not again reach until the nineteenth century. Even as simple a reform as the introduction of singing by note met with stubborn opposition and cries of "popery" from the laymen, although apparently all the New England ministers except Samuel Niles were early converts to it.[4] Indeed, much of the world has not yet caught up to these colonial parsons. Not many years ago a minister of Groton, Massachusetts, complained that his church had been ruined by the liberalism of one of these clergymen in the years before the Great Awakening, and many theological schools still consider some of the ideas of those days heretical. They have

[1] *Andros Tracts*, II. 37. See also *Taken from the Flying-Post, May* 14–16, 1719 (broadside in Harvard College Library).

[2] 4 *Coll. Mass. Hist. Soc.*, VIII. 621–622.

[3] *Id.*, pp. 397–401; Diary, 7 *Coll. Mass. Hist. Soc.*, VII. 161–162.

[4] This recalcitrant seems to have been the only clergyman the writer's family ever produced.

been denounced as "blind leaders of the blind"[1] by men who scorn to read their sermons,[2] and their part in our intellectual history has been entirely misunderstood: "Nevertheless rationalism was in the air, and although it might be excluded from the minister's study, it spread its subtle infection through the mass of the people."[3] Of course the student of primitive religion can turn up many relics of the intellectual past in the writings of the clergy, such as Cotton Mather's account of praying to death his stepson-in-law,[4] but these relapses are few indeed compared with the forward steps by which the clergy strode ahead of the great majority of their flocks.

In matters pertaining to the material world, no less than in religion, the ministers of this period were in advance of the laymen. Men like the Mathers and Jared Eliot of Connecticut had an insatiable curiosity about scientific things, and were eagerly receptive of European discoveries. Mr. Wertenbaker says that "about 1670 Copernican astronomy, it appears, was getting a little foothold in Harvard, a century after its promulgation in Europe. . . ."[5] The insinuation is typical of a school to whom the intellectual inferiority of our colonial ancestors to Europeans is an obsession. Actually the New Englanders seized upon the new astronomy an incredibly short time after it escaped from the censorship of the continental church, and the clergy here were converted to it, despite its effect on the Bible, nearly two centuries before the Roman Catholic Church accepted it.[6] No new scientific idea that won general acceptance with the leaders of European thought failed of quick adoption in New England parsonages. In his *Illustrious Providences*, Increase Mather expresses a desire to write a natural history of New England, "the Rules and method described by that Learned and excellent person *Robert Boyle* Esq. being duely observed therein."[7] After the manner of modern observatories he sent out questionnaires to collect information on comets, earthquakes, and similar phenomena. Like most of his contemporaries he considered these, with examples of poltergeist and mental telepathy that he encountered, as supernatural occurrences and divine portents. An English friend wrote him,

[1] Parrington, *Colonial Mind*, p. 86.

[2] *Id.*, p. 114.

[3] *Id.*, p. 148; Wertenbaker (*First Americans*, p. 113) says of the new rationalism: "This movement found no corresponding development among the old school of churchmen. So far from attempting . . . to shape their theology in conformity with new ideals and new points of view, they remained rigid and unyielding."

[4] Diary, 7 *Coll. Mass. Hist. Soc.*, VIII. 349–350.

[5] *First Americans*, p. 248.

[6] Samuel E. Morison, "The Harvard School of Astronomy in the Seventeenth Century," *New England Quarterly*, VI. 3–24.

[7] Preface, p. xviii.

however, that this attitude had been challenged by one Dr. Spencer of Cambridge. Mather asked for and was sent a copy of Spencer's book,[1] and in that same year let it be known in a public sermon that he had been converted to the belief that comets at least proceeded from natural causes. He was deeply interested in the collection of fossils and must have believed, like everyone else, that they had been planted by God to test the faith of men; but we find him quickly seizing upon the hypothesis of Professor John Woodward that they were deposited by forces of nature during the deluge.[2]

Cotton Mather had the same insatiable scientific curiosity. He held that "the Improvement of Knowledge in the Works of Nature, is a Thing whereby God, and His Christ is glorified," and therefore resolved to "make a valuable Collection of many Curiosities, which this Countrey has afforded; and present it unto the Royal Society."[3] He made a list of doubtful points in natural history, sent out requests for information, and employed "many suitable Hands to prosecute the Enquiries."[4] He wrote an enormously popular compendium of the sciences containing the latest discoveries in astronomy, meteorology, physics, zoölogy, and ethnography, informing his readers, for instance, in quite the modern way, how long it would take a cannon ball to reach the nearest star.[5] And, in spite of the fact that he was a neurotic who once had a vision of an angel, his scientific works are far from being mere credulous compilations, and are much better than some of the contemporary material published by the Royal Society. He used admirable caution, refusing, for example, to believe a story about a tapeworm until he had sent his physician to measure the specimen. His story of the two-headed snake has been repeated since to illustrate his simple belief in wonders, but such a reptile was exhibited at the University of Virginia in the year of our Lord 1933.[6]

[1] 4 *Coll. Mass. Hist. Soc.*, VIII. 354–355. The book was probably John Spencer's *Discourse Concerning Prodigies* (London, 1663).

[2] "An arch-conservative, he justified his ways to his conscience by the excellence of the heritage he strove to conserve. A formalist, he satisfied his intellectual curiosity by extolling the sufficiency of the creed of the fathers. He closed the windows of his mind against the winds of new doctrine, and bounded the fields of speculative inquiry by orthodox fences . . . Why should one expect to find in the works of such a man the seeds of new systems of thought . . . ?" Parrington, *Colonial Mind*, pp. 99, 100.

[3] Diary, 7 *Coll. Mass. Hist. Soc.*, VIII. 86.

[4] *Id.*, p. 282 and *passim*.

[5] *The Christian Philosopher* (London, 1721). This may be the "volume of garbled science and platitudinous moralizing" which Mr. Adams (*Revolutionary New England*, p. 36) attacks on the authority of a secondary work, but, as his reference is incorrect, one cannot be certain.

[6] *New York Times*, December 24, 1933.

Greater than these men, and a far more profound thinker in scientific matters than any American layman of his time, was Jonathan Edwards. He concluded that air was not an element but contained a "considerably rarer" substance; he demonstrated that fixed stars were suns (which others knew); and he was far ahead of his time in his theories concerning atoms, sound, the refrangibility of light rays, and geologic formations.[1]

This was a period in which the frontier of science against religion was being vigorously pushed forward. And in New England it was the clergymen, not the laymen, who wrested from the hand of God the meteor and the comet.[2] It was not until the next generation that a layman, Professor John Winthrop, took the lead in scientific thought.

But how can this be reconciled with the theory advanced in the five best-selling books on American colonial history, including the standard college texts, that "from a political standpoint, the witchcraft movement was an effort on the part of the old clerical order to retain their influence and power?"[3] According to Mr. Adams, the clergy "led in fanning the flames of intolerance and persecution" and helped "to brutalize the natures of the citizens by calling for the blood of victims to whom the community would otherwise have shown mercy."[4] Mr. Hockett says that the witchcraft persecution "was closely associated with the efforts of the clergy to counteract the forces which were depriving them of their former prestige."[5]

Just as religiously inclined scientists from Sir Charles Lyell to Kirtley Mather have pointed to the field of the unknown as a place for God in the modern universe, so some seventeenth-century parsons, English and colonial, sought to illustrate the nearness of God by collecting examples of phenomena which were not then to be explained by natural causes. The idea that the deliberate purpose of the clergy was to bring on a witchcraft epidemic is based on nothing stronger than a suspicion of their motives. Increase Mather's interest, his correspondence shows, was to collect examples of all sorts of phenomena, both natural and supernatural, to make a case-book for scientific study. Public interest in the spectacular made it easier to collect examples of the providence of God, and it was to this task that he first addressed himself. It must be remembered that at the level of

[1] For violently contrasting interpretations, cf. Moses Coit Tyler, *History of American Literature*, II. 183, 185–187, and *American Literature*, I. 393–404.

[2] For an attack by Cotton Mather on popular astronomical superstitions, see *Manuductio ad Ministerium* (Boston, 1726), pp. 54, 55.

[3] Jernegan, *American Colonies*, p. 187.

[4] *Founding of New England*, p. 396.

[5] *Political and Social Growth*, p. 124. See also Wertenbaker, *First Americans*, p. 155.

scientific knowledge at which the world then stood, God and the devil had to be accepted as the direct causes of most of the common occurrences of life. To arrive at a denial of witchcraft, Thomas Maule had to deny the existence of the devil and hell.[1] European intellectual leaders from Boyle to Blackstone felt themselves driven by the logic of the facts before them to believe in witchcraft, and in the face of this it is hard to justify Mr. Hockett's statement that such a belief here proved the low level of New England culture.[2]

The interest of the colonial parsons in witchcraft has been exaggerated by reprints of their writings which contain only their more spectacular stories. Thus in the original of *Illustrious Providences*, less than half the material refers to witchcrafts, which are related with no more interest than stories of earthquakes.

If we are intellectually honest, we shall not sweep aside as "chimney-corner tales" the strange stories told by the ministers. Many of them are exactly parallel with the cases which psychologists and psychiatrists study today in vain efforts to square them with the natural world as we know it. No modern report of psychic phenomena is more acutely critical and level-headed than that sent Increase Mather by the Reverend Samuel Willard of Groton.[3]

It has become a stock statement with the writers of text-books that it was Increase Mather's *Illustrious Providences* that brought on the epidemic.[4] Just why this work is selected for the honor is not clear, seeing that in the eight years between its publication and the Salem troubles a number of other books on the subject came on the New England market. Both the enlarged edition of Glanvill (published in 1681) and Sir Matthew Hale's decision (published in 1682) were known in the colonies. Or why not give the credit to Cotton Mather's *Memorable Providences*, which appeared in 1689? The affair is not so simple as its surface suggests.

The attitude of the New England clergy on the eve of the Salem outbreak is illustrated by the preface which Morton, Allen, Moodey, and Willard affixed to Cotton Mather's *Memorable Providences:*

> For, Though it be Folly to impute every dubious Accident, or unwonted Effect to Providence, to Witchcraft; yet there are some things which cannot be excepted against, but must be ascribed hither.

When the accusations were made at Salem Village, the parsons urged that

[1] *Truth Held Forthe* (New York, 1695), pp. 174–200. Cf. John Hale, *A Modest Inquiry* (Boston, 1702), pp. 155–156.

[2] *Political and Social Growth*, p. 124.

[3] Printed in 4 *Coll. Mass. Hist. Soc.*, VIII. 550–570.

[4] For example, Hockett, *Political and Social Growth*, p. 124.

any found guilty be punished, but they bitterly opposed the use of any of the traditional witch-hunting methods, such as ducking, or any other superstitious practices.[1] On the eve of the trials Cotton Mather wrote to Judge John Richards urging that spectral evidence be excluded, and that only evidence that would be acceptable in an ordinary civil or criminal case be admitted.[2] Robert Calef[3] and the Puritan-baiters after him have pooh-poohed the stand of Mather and the bulk of the clergy on the matter of spectral evidence, but it cannot be denied that in this the latter were far ahead of the European civil law of the time. John Fiske hopefully said that had the advice of the clergy been followed, probably no one would have swung at Salem Village. That is too optimistic, for in the case of George Burroughs, and perhaps of others, the evidence offered was such that the magistrates had no choice, unless they thought that those who testified were either mad or lying.

Curiously enough, and perhaps significantly, the clergy did not attend the trials and executions with the same unanimity and satisfaction that they showed when mere pirates were on the programme. Since this was the greatest assault which the devil had made on New England, they should have been there to urge on and support the magistrates, but even Cotton Mather was present only once. This conspicuous absence of the clergy may have been an accident, or it may have been due to suspicions such as those which Deodat Lawson expressed in a sermon on the occasion of the examination of one of the first batches of suspects. While urging the punishment of the guilty, he voiced a warning against hysterical accusations and false evidence, urging the people not to "Bite and Devour one another."[4]

Heartbreaking and terrible as the story of the trials is, one must recognize that they were far above European practice, and if we ask that the clergy should have intervened on grounds of humanity, we should also have to expect them to intervene in the ordinary course of civil justice. The fact that Samuel Willard argued against third-degree methods[5] is evidence that the use of more brutal violence to extract confessions was not generally known.

"In Massachusetts," says Mr. Hockett, "it was the class least interested

[1] Their attitude was that of modern psychologists who warn people not to play with automatic writing lest it lead to split personalities. These last square perfectly with the "demoniac seizures" of witchcraft days. For modern examples, distressing to a man who likes an ordered universe, see Elwood Worcester, *Body, Mind, and Spirit.*

[2] 4 *Coll. Mass. Hist. Soc.*, VIII. 391–397.

[3] *More Wonders*, p. 93 (i.e., 53).

[4] *Christ's Fidelity* (London, 1704), pp. 70 ff.

[5] *Some Miscellany Observations* (Philadelphia, 1692).

in religion which first denounced the persecution."[1] Is this true? The first voices raised against the proceedings were those of the pious and bewildered relatives of the accused. Then, after the jails were filled with the suspected, and the first hanging had taken place, came the sharp reply of a group of the clergy to the governor and council, urging the "need of a very critical and Exquisite *Caution*, lest by too much *Credulity* for Things received only on the Devils Authority, there be a Door opened for a long Train of miserable Consequences."[2] With fine disregard for the ministers, the court then proceeded to condemn five more on spectral evidence and order them to the gallows. On August 1, 1693, on the eve of the next session of the court, the Cambridge association of ministers unanimously reiterated the condemnation of the type of evidence accepted by the judges.[3] John Wise, a parson, and Robert Pike, a layman, addressed themselves to the court on behalf of individual suspects, but got no better attention. With the hangings continuing, Increase Mather drew up a statement of the position of the ministers (printed as *Cases of Conscience*), secured the signatures of fourteen of the leading clergymen to it, and placed it before Governor Phips. That worthy was converted to the point of view of the ministers and under their influence took the steps which ended the affair.[4] The parsons now had a good opportunity to reburnish their place in society by taking advantage of the swing in public opinion against the witchcraft judges, and to claim credit for their part in stopping the tragedy. They preferred, however, to point out that the judges had been acting according to their own best lights and had accepted European practice. "Pitty and Prayers rather than Censures are their due," said Increase Mather;[5] and his son said that they had acted in ignorance, not wickedness.[6]

One searches in vain for contemporary evidence to support the statement that the Mathers, by "frenzied sermons" and all other means that they could muster, sought "to arouse the fears and superstitions of the crowd."[7] The "frenzied sermons" simply do not exist. The works on supernatural phenomena, when read through, do not appear inflammatory. Cotton Mather's *Wonders of the Invisible World*, for example, begins with

[1] *Political and Social Growth*, p. 125.

[2] Increase Mather, *Cases of Conscience* (Boston, 1693), appendix.

[3] *Id.*, p. 32.

[4] This has been proved by the vast scholarship of Thomas J. Holmes in *Increase Mather, A Bibliography of his Works*, I. 115–138. This book was not available to the men I have been criticizing.

[5] *Cases of Conscience*, postscript.

[6] P. 13 of "Enchantments Encountered," in *Wonders of the Invisible World* (Boston, 1693).

[7] Adams, *Founding of New England*, p. 454.

a denunciation of the water trial and like superstitions, says that all good men are "amazed, at the Number, and Quality of those Accused, of Late," expresses fear that innocent persons have suffered, and urges a "most Critical Enquiry . . . to find out the Fallacy." In order to "find out the Fallacy" of the Salem proceedings, he describes cases which he is sure indicate witchcraft, but he points out no witches and he closes with a warning in the form of a horrible story of an innocent woman recently burned in Stockholm on false testimony.[1] Now Mather was not an ass. He would not begin and close his book with pleas for caution if his intention were to organize another witch hunt. In fact, the stories of his own investigations, particularly that of Margaret Rule, show that he always kept a firm hand on the victims of the witchcrafts and prevented their tales from doing harm to any one.[2]

According to the modern popular version, "the ravings and goadings of the more fanatical clergy and church members" swept the colony into the witchcraft affair, and it was "courageous laymen, like Thomas Brattle and Robert Calef," who "exerted their influence against the delusion."[3] Brattle certainly could not be claimed by the "class least interested in religion," for he was the chief founder of the Church in Brattle Square. As for his being courageous in this instance, there is not the slightest evidence that he made public his views, as did Increase Mather and the other fourteen ministers. He himself believed with the parsons that the witnesses were afflicted by the devil, and he supported his criticism of the trials by saying that the clergy, almost to a man, were "very much dissatisfied," utterly condemned the proceedings, and freely delivered their judgment against the methods used.[4] In this, as always, Brattle identified himself with the pious group, albeit with the liberal wing. He names several magistrates who agreed with him and the clergy in opposing the Salem judges, and, with one possible exception, their names are redolent with orthodox piety. They were certainly not of "the class least interested in religion," but, like Brattle, they have left no evidence of bearing public testimony against the witchcraft affair.

Few have won cheaper canonization than Robert Calef, who, to Mr.

[1] *Wonders of the Invisible World*, pp. 50–51, and "Enchantments Encountered" in *id.*

[2] "Cotton Mather not only ran with the mob, but he came near to outdistancing the most credulous." Parrington, *Colonial Mind*, p. 115.

[3] Adams, *Founding of New England*, p. 455. "During the Salem witchcraft delusion it was Thomas Brattle and Robert Calef, both merchants, who had the common sense to see the folly of the inquisition and the bravery to denounce the justices and the ministers for their part in it." Wertenbaker, *First Americans*, p. 113.

[4] The letter on which his reputation in this matter is based is printed in 1 *Coll. Mass. Hist. Soc.*, v. 61–79.

Adams, represents "the cause of intellectual freedom."[1] Calef believed: "That there are Witches is plain from that Rule of Truth, the Scriptures, which commands their punishment by Death. But what that Witchcraft is, or wherein it does consist is the whole difficulty."[2] He supports his contentions by a theological argument duller than Cotton Mather's worst because he, unlike the minister, had never learned to roar. The essential difference between his beliefs and those of the clergy was an obscure point in the constitutional law of the lower world: viz., whether the devil could delegate his powers. In practice they differed in that Calef did not feel bound to accept evidence which he could not refute but which interfered with his preconceptions; he simply denied its existence or insinuated that the witnesses were liars. It is not to be denied that Calef represented the future, and the clergy, in this respect, the past; but one wonders if the mind which arbitrarily denies without evidence is more deserving of honor than that which holds to an error toward which honestly weighed evidence points. As for courage, there is no evidence that Calef raised his voice until a year after the last poor victim at Salem had been cut down, and he did not take to print for seven years more. Why hail his courage and not that of Bradstreet, Danforth, and the other magistrates named by Brattle as opposing the witchcraft trials while they were still going on? They did not, like the clergy, run the risks of print, but they did dissent while there was still someone besides Stoughton on the side of the court.

If someone must be tagged with a medal for representing "the cause of intellectual freedom," it should be the Reverend John Hale. In what is by far the best account of the witchcraft delusion he describes the general belief which he and others held before the Salem affair, and the general amazement and horror at the swift spread of the delusion. Instead of stopping there and joining Calef in yapping at those who disagreed with him and in misrepresenting their activities, he pondered deeply on events, and at last saw dimly their psychological basis. This he proclaimed, admitting his error, and begging for a revision of the historical beliefs and for the making of all possible restitution to the sufferers. His pamphlet, *A Modest Enquiry* (Boston, 1702), although now very rare, was then more widely read and more influential than Calef's work.[3]

Now, since the clerical rule was unpopular, since it was overthrown by the extension of the franchise, since the ministers sought to regain their

[1] *Founding of New England*, p. 455; *Provincial Society*, p. 120.

[2] *More Wonders*, p. 78.

[3] This statement is based on the frequent appearance of Hale's book in inventories and on mention of it elsewhere. But it is true that people who left enough books to be inventoried would have been the sort to despise Calef.

authority by whipping up the witchcraft affair, *ergo*, their defeat was a ruinous blow to their prestige.[1] Is it necessary to deny this? Neither Mr. Adams nor anyone else can produce evidence to support his statement that Calef "carried the minds of the people with him."[2] Surely Calef's book, first printed eight years after the tragedy was over, could not have awakened sufficient interest to lure the people from the clergy. When the Salem sufferers indicted Mr. Parris, they laid the trouble to the fact that he differed "from the Opinion of the generality of the Orthodox Ministers of the Country,"[3] and there is no evidence that the people harbored resentment against even the witchcraft judges.

It is often retold that Samuel Sewall publicly admitted his error in the witchcraft affair, but it is not so well known that several of the ministers involved, including Mr. Parris himself, had the same courage. Michael Wigglesworth, of infant-damnation fame, wrote to Increase Mather, saying: "I fear that innocent blood hath been shed; and that many have had their hands defiled therewith."[4] He urged that Mather lead the clergy in attempting to persuade the General Court to make all possible restitution. Others had the same idea, and it was the clergy, not the laymen, of Essex County who united in a like appeal to the government.[5] The civil authorities did not have the same interest in the matter, perhaps because there was no pressure from the electorate, and it was not pressed until the Reverend Israel Loring brought it to the attention of the General Court a generation later.

In their attitude toward witchcraft, the clergy were in advance of European opinion, but in other fields they owed their superiority over the general run of the population to their wide reading and willingness to adopt new European ideas. The best example of this is the support which the ministers from Boston to Marblehead gave to the practice of inoculation for smallpox despite the violent rage of the mob and the opposition, on purely religious grounds, of such college-bred laymen as Adam Winthrop. These clergy urged their native physicians to adopt the practice, while the only M.D. in New England, William Douglass of Paris and Padua, opposed it. Many country parsons themselves practised medicine, and Cotton Mather collected their observations on diseases and remedies in order to make these discoveries serviceable to the world.[6]

[1] Hockett, *Political and Social Growth*, p. 125; Wertenbaker, *First Americans*, pp. 113, 162; Adams, *Founding of New England*, p. 455.

[2] *Provincial Society*, p. 120. [3] *More Wonders*, p. 96 (i.e., 56).

[4] 4 *Coll. Mass. Hist. Soc.*, VIII. 646–647.

[5] Printed in *New Eng. Hist. Gen. Reg.*, XXXIII. 193 *n.*

[6] Diary, 7 *Coll. Mass. Hist. Soc.*, VIII. 739–740.

The interests of the clergy spread into other fields of knowledge as well. The Mathers were particularly notable for their correspondence with the intellectual leaders of Europe, such as the orientalist John Leusden of Utrecht and August Hermann Francke at Halle. Cotton Mather corresponded with the Danish missionaries at Malabar and with Defoe in England, discussing with the latter the possibility of their joining forces in a coöperative history.

The ministers were no less catholic in their reading, although old John Higginson warned Increase Mather to stick to the Bible and works of known sound divinity lest he fall into the devil's hands. But five years later even good old Higginson admitted that he smacked his lips over such light reading as Knox's *History of the Island of Ceylon* and Tavernier's *Travels*. This hunger for works on geography and secular history is apparent in the inventories of many parsons' estates. George Corwin of Salem seems to have bought everything of that sort to be had. Gurdon Saltonstall and Cotton Mather read the first volume of Bishop Burnet's *History* within a year after its publication and found it fascinating. Jonathan Edwards subscribed to an English monthly periodical, knew the English classics, and read Fielding and Richardson, highly recommending the latter.[1] It was a chaplain, Thomas Buckingham of Hartford, who found a place for *Comus* in his military kit, and a college-bred layman, Lieutenant-Governor Vaughan of New Hampshire, who left a library consisting only of the Bible and Fox's *Martyrs*.

The clergy were equally broad in their religious reading. Individuals among them were interested in the works of the Huguenot Pierre Jurien, found the *Meditationes Sacrae* of Paul Gerhardt edifying, and (to the rage of Timothy Cutler) read the works of the latitudinarian Anglican bishops and the less harmful deists. No less a person than Cotton Mather read the *De Imitatione* of Thomas à Kempis in search of spiritual help, although the General Court had legislated against the volume fifty years before.

In every field in which there was intellectual and social advance in these years, be it in urging the compensation of witchcraft sufferers or the wearing of wigs, the movement was led by clergymen and bitterly opposed by laymen, and every parson who is to be found opposing one of these advances, will be found advocating others.

Nevertheless, the most striking social phenomenon of these years is the decline of clerical authority and of the relative importance of religion in New England life. In the first place, the exalted position of the clergy in early New Haven and Massachusetts was unnatural, and as soon as the peculiar conditions which had caused it ceased to exist, it was bound to de-

[1] For a detailed account of Edwards's reading, see our *Publications*, XXVIII. 193–222.

cline. Nations have habits of thought, and just as the English nation has always abhorred cruel punishments, so it has disliked theocracy. The religious conservatives of England preferred a national church dominated by the civil government, while the religious radicals turned naturally to Lollardy and Brownism, to the Baptists and the Quakers, to Independency rather than to a Calvinistic church-state. The very essence of the English dissenting mind was lay-preaching and the right of the individual to decide matters of religion for himself. As Barrett Wendell has said, "Protestantism can have no priesthood. This truth Cotton Mather never guessed at." [1] The second factor in the decline of clerical authority was the invasion of men's minds by secular things. The New Englander was still keenly religious, but business and other matters were ever increasingly diverting his attention. To blame this decline in the relative importance of religion, as is done, on the supposed narrowness and bigotry of the ministry is to show ignorance of the whole social evolution of the time as well as ignorance of the clergy.

The change in the position of the ministry was a slow development. Increase Mather and the preachers of his generation influenced the province as statesmen and judges, while Cotton Mather influenced the public chiefly from the pulpit. The father looked backward to Calvin and John Knox; the son, forward to the Anti-Saloon League. The clergy could lead Governor Phips around; but after his day they had little influence with the executive. In Connecticut, Gurdon Saltonstall had stepped from the pulpit to the governor's chair, but John Law and later governors mounted from the Bar.

The same is true in local affairs. One might even call this the era of the revolt of the congregations against their ministers. It was not, however, the "revolt against narrow and bigoted Puritanism" that figures so prominently in popular writings. It was not a revolt against antiquated theology, against bigotry, superstition, or social Puritanism. It has been shown that in these matters the clergy were more liberal than their congregations. Rather, it was an assertion of the right of the layman, particularly the deacon, to judge theological dogma for himself and to reprove the erring pastor, and this he wished to do because the ministers were too liberal. The young ministers, fresh from the colleges, quailed before the baleful, censorious glares of the old deacons or elders who perched on the edge of their pews, vulture-like, waiting for a slip over a theological precipice. Each young minister must by love or logic win his deacons, and after an inquisition by the elders he must have doubted the reality of the decline of religious interest, at least in some quarters. Few preachers had the firmness of John

[1] *Cotton Mather*, p. 303.

Hancock of Lexington, who agreed to the appointment of ruling elders on condition that he should define their functions; and then explained that their functions were confined to saddling his horse and holding his bridle.

Even where ministers were orthodox, their hold was frequently shaken by the division of the town into parishes. Church and town meetings were no longer controlled by the same group; and when there were two or more ministers in a town meeting, the voice of God was too frequently jangling and contradictory. This came to be most lamentably true at the end of the period when the first tremors of the Great Awakening were beginning to split the towns into hostile churches.[1] Quite generally, weaker parishes had to plead for favors from the civil government at town meetings, and parishes with internal troubles had to air them before not too sympathetic audiences. In the government of the towns, as in that of the province, the clergy slipped from their former high place.

One indication of this situation was the very general financial strife in the parishes. In Massachusetts and Connecticut the inhabitants were required to contribute toward the support of a minister, but the town was left to fix his salary. Too frequently the town meeting took a leaf from the book of the General Court and expressed its disapprobation of the parson's marriage or his theology by cutting down his pay. Rarely was the town willing to increase the amount of his salary in proportion to the decline in the value of money. A great part of the clergy were forced to supplement their income by farming or some other independent business. Jonathan Edwards's father sold liquor, and a clerical contemporary of his went into the real estate business and sold hundred-acre lots that turned out to contain eighty-six acres. Many of those with large families had to surrender their pulpits to youths without dependents.

So there was in New England, no less than in Virginia, a "Parson's Cause." After 1711, the legislatures passed special acts requiring the payment of particular ministers, and in 1735 Connecticut ordered that no minister's salary should be left more than two months in arrears. These statutes had no more effect than to give the ministers a little better case in their continual suits at law for their back pay. For those who could not live on their salaries even when paid, there was no legal redress. If a minister did not quarrel with his parish over financial matters, it was a fact likely to be noticed in his obituary.

Many ministers might be quoted on the treatment they received.

[1] The situation is well illustrated by the experience of the town of Norwich, Connecticut, which was unable to pay the salary of its minister, John Woodward. But when he was discharged in 1716, the church split into four congregations, and under his successor the First Church threw off three more.

Ephraim Little of Plymouth, who was relatively successful and spoke with less prejudice and more moderation than some others, said: "It is greatly to be Lamented that the Gospel-Ministry has no greater Success than it has; that there is so much Contempt cast upon it, and that the Support of it is by so many, look't upon to be so heavy a Burden."[1] The same situation existed in Connecticut, where Timothy Cutler in his Congregationalist days declared: "We know the Vile Words that are cast about, of *Priest-Craft*, and Priest-Ridden, and an *Ambitious* and *Designing Clergy*, and the like Effusions of Men's Corrupt Minds; and the Jealousies the World hath of us."[2] Youths sang "profane and filthy songs" under Cotton Mather's windows and took sticks from his wood pile to beat off those who would stop them. The worst story is that of the ordination of Peter Thacher at the New North Church in Boston, when the congregation below was sprinkled from the galleries with a liquid which contemporaries rightly thought should remain unnamed.

These conditions were bound to have an effect upon the personnel of the clergy. Throughout most of New England's first century the ministerial career was by far the most alluring of those open to ambitious youth. In later society no individual held a place of importance and prominence to compare with that of a minister in early New England. This was due, not only to his learning among a people who reverenced education, but to the overwhelming importance of religion itself. Urchins held prayer meetings in their playtime and in all sincerity aped the piety of their elders. They stopped their ball games to argue about immortality just as later generations paused to talk about Indians or airplanes. Naturally those ambitious youths who wanted to wield power prepared themselves for the post of vice-regent of God.

The decline of the influence of the clergy in secular affairs, the decline of general interest in things religious, and the new opportunities offered by trade, medicine, and law drew off from the ministry such able young men as Josiah Willard, Nathaniel Williams, and John Read. But although the percentage of the graduating classes at Harvard and Yale that went into the ministry steadily shrank, the total entering the profession increased more rapidly than the number of pulpits available. Thus between 1680 and 1689 Harvard turned out thirty-three new parsons, while the two colleges in the decade 1731–1740 turned out one hundred and eighty-nine. With their eyes on the bright boys who were scuttling into other professions, the clergy complained that youth was shunning the career of

[1] Daniel Lewes, *Of Taking Heed to, and Fulfilling the Ministry* (Boston, 1720), introduction, p. ii.

[2] *The Firm Union of a People Represented* (New London, 1717), p. 55.

the pulpit, but there must have been a plenteous supply of ordinary lads, for towns in 1740 found it very much easier to get good schoolmasters cheap than had been the case a generation before. Jonathan Edwards seems to have been the last of the very great who entered the ministry because there was no other suitable outlet for his abilities. The horrible things which his logic did to theology were full revenge.

In the latter part of the "Glacial Age," then, were the clergy poor things, stunted by the cold winds of adversity? Was their character such that the people were justified in casting them down from their high places and out of their pulpits? In this connection a study of the lives of the Congregationalist and Presbyterian clergy of New England and of the New England settlements on Long Island reveals some interesting figures.[1] Between 1680 and 1740 there were some five hundred ordained ministers and settled preachers of these persuasions in this area. Of these, one hundred either died immediately after ordination, began to preach too soon before 1740 to get into trouble by that date, or were settled in parishes for which adequate records are not available. Of the remaining four hundred, the pastorates of 28 per cent were marked by notable trouble between pulpit and parish. There were many others who suffered in silence or who lost their pulpits in the years immediately following 1740. Of the four hundred, 8 per cent were dismissed or forced to resign in spite of the fact that either step was regarded as disgraceful to pastor and parish. As one would expect, the commonest cause of difficulty was financial, 12 per cent of the clergy being seriously involved with their parishioners on those grounds, and 5 per cent either leaving or being forced from their pulpits. The next most fruitful source of discord arose from the division of parishes and the building of new meeting-houses. Such difficulties involved 8 per cent of the clergy, but only three individuals had their connections terminated on those grounds. Difficulties in theology entangled 5 per cent of the clergy, but only five individuals left or were discharged for that reason.

As a general thing, these discords—strife over finances, theology, and the creation of new parishes—were not due to faults of the parsons, but to the times. The same cannot be said of the other golden apples. Of the four hundred, 3 per cent were concerned in scandals, and six individuals resigned or were discharged under that cloud. The troubles of 4 per cent may be laid to their own personalities, usually to an uncontrolled tongue; nine left their parishes for this reason. With more leisure for thought, with good educations and wits whetted by college and association gatherings, the parsons were strongly inclined to humor and facetiousness which their

[1] These are based upon Sibley, Dexter, histories and records of towns and churches, diaries, letters, and all the available newspapers of the period.

hard-working parishioners did not appreciate. Where their stories have been preserved, they are typically Yankee, based largely upon exaggeration,[1] but occasionally, even in the Cambridge association, somewhat Boccaccio-like. Curiously enough, intemperance was the most fatal offence, six parsons being accused and all six discharged.

The distribution of these disputes by decades is illuminating. In each of the first three there were eleven notable quarrels. In the period 1711–1720, there were thirteen. Then was felt the full force of the social transition of the age: during the years 1721–1730 there was strife in thirty-seven churches, and in the last decade, in thirty-six. The last figure is misleading. There was more strife in the years 1731–1740 than in the previous decade, but there is not so much material on it. The newspapers were devoting less space to such news, and the proportion of new parishes for which printed records are inadequate is much greater. When the increase in the number of parishes in the years 1680–1720 is taken into consideration, it becomes apparent that the average of church peace was increasing at that time. The years of strife that followed were those of swift social evolution in which the frontier was advancing, depreciating currency was drawing down one class and throwing up another, and economic developments were changing the face of the land. Consequently the quarrelling in the churches cannot properly be laid to a rebellion of the people against a bigoted and persecuting clergy.

It is true, of course, that the New England clergy had not preserved the standards of the first generation. Any priesthood declines when its religion loses its first vigor. Secular matters demanded an ever greater share of the thoughts of the ministers, and few parsons had the moral courage of Samuel Moody of York, who gave away a horse of which he was proud because it "insisted on entering the pulpit with him." Solomon Stoddard's roaring sermon on the defects of preachers shows that the better clergy were troubled by the situation.[2] A comparison of the above statistics with those for the clergy of colonial Virginia[3] might suggest that the New England parsons averaged a bit worse than the much-maligned Southerners! But before this statement becomes incorporated in the New

[1] For examples, see Justin Winsor, *History of Duxbury*, pp. 189–192. "One does not, of course, look for any genuine humility or a sense of humor in a Puritan. They destroy his specific characteristics as the sunshine does microbes, and that way tolerance lies." Adams, *Revolutionary New England*, p. 34. Of course one does not find things without looking for them.

[2] *The Defects of Preachers Reproved* (New London, 1724).

[3] Edward L. Goodwin, *The Colonial Church in Virginia*, pp. 241–319. Of course no New England colony ever legislated in regard to its clergy as did Virginia. Cf. William W. Hening, *Virginia Statutes at Large*, III. 362.

History, let it be added that were Virginian records as abundant as those of New England, there would be no apparent parallel.

This prevalent sin of worldliness led many of the ministers to engage in business operations far more extensive than their financial needs would justify, even though the demands of their profession on their time and energy were much greater than is the case today. Real estate and wild lands were the favorite ventures. One wonders how some of these parsons, with their travelling back and forth to Maine, had time to do anything for their parishes. In the case of Ephraim Little of Plymouth and his extensive business dealings, we find the town apparently distrustful of his methods. When the Reverend Josiah Dwight applied for a raise—and indeed his salary of £60 was not sufficient to support a family in 1723—the town expressed the opinion "that the great stroke of husbandry under his management takes up much of his time and thought," and gave him a small increase with a warning "to devote himself more especially to his sacred functions."[1] Apparently he did not, for shortly thereafter he was discharged by a vote of sixty to one. The most amazing story of secular activities on the part of clergymen is that of the mining venture of the three Woodbridge cousins.[2] The successful ministerial careers of a few who, like Samuel Moody of York, did not engage in business, suggest that some of the trouble of the parsons was due to a natural resentment on the part of the congregations.

The records indicate that too many of the clergy were grasping in their dealings with the parish. Sometimes the settlement of a youth fresh from college made him the richest man in town. It is said of Timothy Collins, B.A. Yale 1718, that the time which the management of his property caused him to take from his ministerial duties was a source of his trouble.[3] Nathaniel Collins of Enfield seemed to think that a post in the ministry was like a purchased army commission, a saleable commodity. Some of the clergy asserted loudly that their salaries were insufficient but left estates one tenth the size of the great mercantile fortunes. Some of the reputed poor, like John Swift of Framingham, left several slaves.

It was inevitable, under conditions then prevailing, that the clergy should lose much of their fire. Harvard particularly seems to have been turning out numbers of dull fellows—good, logical, sleep-provoking scholars. Salmon Treat tells us that some of them read their sermons like children learning their letters, laboriously following their notes with an extended forefinger.[4] However, the greater part of the complaints against

[1] Sibley, III. 396. [2] *Id.*, IV, see index.

[3] Franklin B. Dexter, *Biographical Sketches of the Graduates of Yale College*, pp. 182–184.

[4] Solomon Stoddard, *Defects of Preachers*, introduction, pp. iv, v.

the dullness of the preachers came from congregations which had little use for scholarship or humanized theology, who wanted to hear the roar of the fires of hell and the crackling of the sinners in the flames. They found more satisfactory the bloody-minded Scotchmen and the itinerant illiterates who were frequently a bit touched mentally. By 1740, a plentiful supply of these was forcing the dull preachers from their pulpits or starving them by splitting their parishes.

Equally unpopular were those educated at Harvard and Yale who relapsed to the standards of the English country clergy, and became too preoccupied with fishing and fowling to attend to their duties.[1] Dullness and fowling aside, there was a real difference of opinion as to what a good preacher should be, a difference at the bottom of many of the quarrels. The new frontier parishes did not wish even the ideal preacher as Mather Byles described him, "a most graceful, polished, and fluent speaker, a perfect gentleman in manner, and a deep scholar."[2] They desired a violence inconsistent with even, brilliant logic, and a fiery intolerance which education bred out of a man. These were the qualities to be had in the itinerant preachers and in the harsher Scotch Presbyterians who had heard their fellows shriek in the iron boots of James of York, and had learned intolerance in that school of persecution.

But if the New England ministry did contain many weak vessels, it also boasted the greatest minds of the times. Of the men active in the awakening interest in science, all but two were orthodox clergymen. Many others had vast scholarship and eager minds. The primitive religion of their parishioners did not hold them back; one should not forget Cotton Mather courageously backing inoculation despite the bomb thrown into his room, and despite the mob searching for Dr. Boylston with a noose. Many of them accepted country parishes where there was no hope that their lives or those of their families would ever rise above poverty. As a boy Jonathan Edwards saw his sisters cut off their hair to sell, to eke out his father's income, and his own daughters had to take in sewing and make fans. He, perhaps the best-paid minister outside Boston, was sometimes without money to buy paper to write down his thoughts, and that was a loss to the age. There were so many great souls standing out from among the small ones, that one wonders if a century-old established church ever had a better ministry than did New England of the Glacial Age.

If we New Englanders do not write our own history, we must expect to have it written for us by men who understand our forebears no better than we understand the fathers of Virginia, or of the settlements of Puget

[1] For example, Andrew Gardner of Worcester. Sibley, v.

[2] *The Man of God Thoroughly Furnished to Every Good Work* (New London, 1758).

Sound. Mr. Wertenbaker, who, as becomes a real historian, strains hard to be fair, informs us that New England piety forbade a man to go out into the country in quest of chestnuts, to smoke a pipe, or to do other such pleasant things.[1] But when one reads the diaries and correspondence of the Puritans, one finds Cotton Mather fishing in Spy Pond, Parson William Waldron tramping all day in the mud of Back Bay after snipe, and Parson Joseph Green galloping off for a day's hunting with one small son forward and one aft. We are also informed, in a list of Puritanical restrictions, that one of the duties of tithingmen was to keep the boys from going swimming.[2] Sooner or later one of the new historians is going to find the account of Judge Samuel Sewall going bathing off Blackstone's Point, and then we shall be given a picture of a base old hypocrite enjoying pleasures which he forbade to the boys. In the same account of forbidden pleasures we are informed that Parson John Higginson frowned upon the importation of children's toys. This seemed so out of keeping with the old gentleman's character that I went to the secondary work[3] on which the author relied and found that the John Higginson in question was not the parson, but his son, a merchant, and that the sentence referred to came from a business letter discussing the market for various commodities and having no connotation of Puritanical restrictions.

Fed on such misinterpretations, the modern intelligentsia use the picture of the Puritan priest to frighten their children at cocktail time, but one should not forget this glimpse which Cotton Mather gives of himself: "I would alwayes have about me some little Matters, (as Pennies, or Fruits, or Paints,) proper to be bestow'd on little Children."[4]

Mr. CHARLES K. BOLTON read a communication entitled "The Fisheries of Baccalaos," to be published elsewhere.[5]

[1] *First Americans*, pp. 189–190.

[2] *Id.*, p. 273.

[3] Thomas W. Higginson, *Travellers and Outlaws*, pp. 15–16.

[4] Diary, 7 *Coll. Mass. Hist. Soc.*, VIII.

[5] In *Terra Nova: The Northeast Coast of America before* 1602.

February Meeting, 1934

A STATED MEETING of the Society was held, at the invitation of the President, at No. 44 Brimmer Street, Boston, on Thursday, February 15, 1934, at three o'clock in the afternoon, the President, SAMUEL ELIOT MORISON, in the chair.

The minutes of the last Stated Meeting were read and approved.

The Corresponding Secretary announced the death of HOSEA BALLOU MORSE, a Corresponding Member, on February 13, 1934.

The Corresponding Secretary reported that letters had been received from Mr. CHANDLER BULLOCK and the Hon. FRED TARBELL FIELD accepting Resident Membership; from Mr. MILTON ELLIS and Mr. JOHN FARQUHAR FULTON accepting Corresponding Membership; and from the Hon. FRANKLIN DELANO ROOSEVELT and Mr. CHARLES FRANKLIN THWING accepting Honorary Membership in the Society.

The Society elected to Resident Membership Mr. HERMANN FREDERICK CLARKE, of Boston, Mr. ALBERT HARRISON HALL, of Watertown, and Mr. CLARENCE ELDON WALTON, of Cambridge.

The Council recommended for adoption by the Society the following amendments to the By-laws:

CHAP. II, *Art.* I. In the second paragraph, first line, after the word "Resident" omit the words "Corresponding or Honorary," so that this paragraph will read:

"No person shall be eligible to Resident Membership who cannot prove, by documentary evidence satisfactory to the Council, his lineal descent from an ancestor who was a resident of the Colony of Plymouth or of the Massachusetts Bay."

CHAP. XI. Omit: "Art. 5. After the death of a Resident Member it [the Council] shall appoint a member of the Society to prepare a Memoir of the deceased."

These amendments were unanimously adopted by the Society.

The Editor presented, on behalf of Mr. VERNER W. CRANE, a paper entitled:

Benjamin Franklin
and the Stamp Act

THE rôle of Benjamin Franklin in the Stamp Act crisis and its influence upon the development of his political ideas have not yet been fully explored. The ambiguity which surrounds this chapter in his life was created partly by his own equivocal conduct; partly by the secrecy in which he concealed some of his ideas and employments. To the attacks of political enemies who charged in America that he was himself the plotter with Grenville of the hated measure, he made no direct reply; but he permitted his friends to draw back the curtain a little way upon a scene of activity in which he was engaged in London in the winter of 1765–66. For the most part, however, he seems to have relied upon his brilliant examination before the House of Commons, followed so soon by repeal, to confute his critics.

As a result, historians and biographers have presented only a series of episodes to link Franklin with the Stamp Act. We glimpse him in the early months of 1765 laboring with his fellow-agents, not too strenuously it would seem, to turn Grenville's mind from his favorite scheme back to the old device of requisitions. We see him, a little later, accepting perhaps too philosophically the *fait accompli:* confused between the claims of patriotism and patronage, nominating John Hughes for stamp distributor in Pennsylvania, advising Jared Ingersoll to accept the Connecticut post. And then, after many months of apparently complaisant silence, we discover him, tardily aroused by news of his own unpopularity and the plight of the antiproprietary party in Pennsylvania, writing a few essays for the newspapers, lobbying in Parliament, and finally rising to the height of an adroit and persuasive argument on the great occasion of his hearing before the House of Commons.

Not all the gaps in this inadequate narrative can be filled, for in the mass of Franklin papers there are also gaps. It is possible, however, to disclose the secret of Franklin's counter-proposals to Grenville prior to the enactment of the stamp tax measure. It is possible also to reveal Franklin as a principal agent in the agitation for reopening the whole American question under the Rockingham ministry. It can be demonstrated, moreover, that the Stamp Act controversy had a decisive influence upon his formulation of theories of the empire and of American rights which, until he espoused independence, he had occasion to modify only in detail.

I

WHEN Franklin returned to England as agent for Pennsylvania at the end of 1764, Grenville's revenue policy had long since been notified to the Americans, the new trade restrictions were in force, and the year of grace for the enactment of the stamp tax would expire the following March. Ten years earlier, in correspondence with William Shirley,[1] Franklin had placed himself strongly on record against taxation of the colonists by parliament, in terms which anticipated certain of the arguments shortly to be heard against the Stamp Act. The colonists, he had predicted, would assert: "That it is suppos'd an undoubted Right of Englishmen not to be taxed but by their own Consent given thro' their Representatives." "Secondary taxes," incidental to the regulation of trade, they did not complain of, but direct taxes laid by parliament

> must seem hard Measure to Englishmen, who cannot conceive, that by hazarding their Lives and Fortunes in subduing and settling new Countries, extending the Dominion and encreasing the Commerce of their Mother Nation, they have forfeited the native Rights of Britons, which they think ought rather to have been given them, as due to such Merit, if they had been before in a State of Slavery.

These were views to which Franklin would shortly recur; at the beginning of 1765 they were perhaps somewhat obscured by other considerations. There is no evidence, however, apart from the innuendoes of his enemies, to support the view of his latest biographer that among the agents Franklin did less to oppose the law than any other. From such records of their conferences with Grenville as have come down it is apparent that the agents pressed upon the minister arguments which can be definitely attributed to Franklin; and that it was Franklin who contended for a return to the method of requisitions.

To be sure, it is said that it was this unhappy suggestion which enabled Grenville in his replies to reduce the agents to silence. But Franklin was not entirely silenced. There is definite evidence to show that he met Grenville's challenge that the Americans produce a feasible substitute for the stamp tax. The evidence comes from Franklin himself, it is true, and from a letter written some twenty months later; but it fits neatly into what is known of his ideas at the time, and is consistent with his course on another significant American issue, the currency question. Had the facts been widely known in America, his enemies would not have been appeased, but

[1] First published in the *London Chronicle*, February 8, 1766, with an introduction by "A Lover of Britain"; see *The Writings of Benjamin Franklin*, A. H. Smyth, editor (cited hereafter as *Writings*), III. 231, and *Correspondence of William Shirley*, C. H. Lincoln, editor, II. 103–107. The text of the quotations is from the latter, pp. 104, 106–107.

they would have shifted the ground of their attack. Franklin did not propose the Stamp Act to Grenville, as some malicious men chose to believe; but he did bring forward a scheme for an equivalent American revenue.

The abortive interviews with Grenville occurred in February, 1765. By February 14, Franklin knew that the Stamp Act must pass, but he held out hope to an American correspondent that parliament would ease the colonies "in some particulars relating to our commerce, and a scheme is under consideration," he added, "to furnish us with a currency, without which we can neither pay debts nor duties." [1] Here Franklin was sketching the outlines of that coördinated programme of economic and financial reform which throughout 1765 and 1766 was the objective of the "friends of America" in England. In the broader view of the American question of those years the movement for the repeal of the Stamp Act becomes an episode, though a major one, in this inclusive reform programme. Trade reform, with repeal, was the common ground upon which the agents and the merchants trading to North America could take their stand. But currency reform was Franklin's own peculiar interest. Long after the repeal of the Stamp Act, and after the partial victories of the trade reformers in the spring of 1766, he continued to press it in one form or another upon successive ministers through the channel of the London merchants' committee. In a letter to Joseph Galloway of October 11, 1766, he described the status of the scheme at the time, and in one noteworthy passage revealed in confidence the origin, in 1765, of his currency proposals:

You take notice, that in the London Merchants Letter there is mention made of a Plan for a general Currency in America, being under Consideration of the Ministry;—And you wish it may suit the Temper of the Americans. I will let you into the History of that Plan. When we were opposing the Stamp Act, before it pass'd, Mr. Grenville often threw out to us, that the Colonies had had Notice of it, and knew it would be necessary for Government here to draw some Revenue from them, and they had propos'd nothing that might answer the End and be more agreable to themselves: And then he would say, Can you Gentlemen that are Agents name any Mode of Raising Money for Public Service that the People would have less Objection to, if we should agree to drop this Bill?—This encourag'd me, to present him with a Plan for a General Loan Office in America, nearly like ours, but with some Improvements effectually to prevent Depreciation; to be established by Act of Parliament, appropriating the Interest to the American Service, &c. This I then thought would be a lighter and more bearable Tax than the Stamps, because those that pay it have an Equivalent in the Use of the Money; and that it would at the same time furnish us with a Currency which we much wanted, and could not obtain under the Restrictions lately laid on us. Mr. Gren-

[1] *Writings*, IV. 362.

ville paid little Attention to it, being besotted with his Stamp-Scheme, which he rather chose to carry through.[1]

It thus appears that early in 1765 Franklin was willing to concede an American revenue under an act of parliament, in a form which he described as a tax, so long as it might be expected to release those springs of abundant currency which, he believed, would revive the flagging prosperity of the colonies. Save for this disclosure, he seems to have kept his proposal a deep secret. Galloway probably counselled him to suppress the story. Indeed, on receiving this communication, Galloway wrote to Franklin's son:

This part of his Letter I shall keep private, as I have heard from many very warm objections against such a Plan, and in the present Temper of Americans, I think it w[d] occasion great Clamours. I have been full in my Sentiments to him on the Subject by the Packet.[2]

In one branch of their duties the agents, including Franklin, may perhaps be charged with neglecting their opportunities in the months before the passage of the Stamp Act. There was singularly little effort made through newspaper or pamphlet to state the American case to the British public. Agents had before this played some part as propagandists, but the great epoch of American propaganda in England was yet to come, ushered in by the Stamp Act itself, and to no small degree directed by Franklin. The Stamp Act was foreordained; something, however, might be done to oppose other features of the new American policy. Two newspaper essays which appeared soon after his return to England, attacking the new

[1] MS., William L. Clements Library. In this letter Franklin went on to assert that the plan had later found favor with members of the Rockingham ministry, who conferred frequently with him upon it, "and really strengthened one another and their Friends in the Resolution of Repealing the Stamp Act, on a Supposition that by this Plan of a Loan Office they could raise a greater sum with more satisfaction to the People." The letter is referred to briefly by R. A. Humphreys in the *English Historical Review*, L. 267–268; and also by L. J. Carey in *Franklin's Economic Views* (p. 20). But by the latter the episode is assigned to the year 1766, which obscures the true *raison d'être* of the proposal. I have also been able to identify a portion of Franklin's draft of his scheme in the American Philosophical Society, Franklin Manuscripts, L (ii), 18. It is clear that this is the project which Pownall inserted in 1768 in his current edition of *The Administration of the Colonies*, and which he described as the joint production of himself and an American friend. But by 1768—indeed by 1767, when it looked for a time as if parliament, with the backing of the merchants, would take it seriously—Franklin had long since lost his enthusiasm for the plan. For his later attitude toward this revenue scheme, see his letter to Galloway of June 13, 1767, in *Writings*, V. 25–28.

[2] American Philosophical Society, Franklin MSS., LVIII (i), 36. The letter is dated December 21, 1766, and is incomplete.

trade regulations, bear evidences of his authorship.[1] Franklin also claimed credit for securing the deletion from the Mutiny Act of a provision impowering officers to quarter troops in private houses in America. It is certain that he was working hand in glove with Alderman Trecothick and the committee of North American merchants against this clause; and it is probable that he was the author of the published card of protest of the North American agents, and of two letters of expostulation, signed "An American," which appeared in *St. James's Chronicle* in April.[2] The second of these letters covered a wider range:

For my Part, Sir, I am not surprised at any Law that may be made at present with regard to our Colonies: A groundless Jealousy prevails towards them, and new Systems and Opinions have of late been adopted, of which the Americans have hitherto had no Conception.

"Partial laws of trade" were denounced; and Englishmen were reminded that since the Americans "have by their Charters a complete Legislature within themselves, they should . . . be allowed the Privilege of taxing themselves." As for the Quartering Act, it "is in fact making slaves of them."

There is a point to which a People may be imposed on, and to that Point they will submit without much Murmur; and that Point once passed, dreadful will be the Consequences: The History of all Countries, and particularly our own, furnishes many Examples of this.

But Franklin did not yet realize that with the Stamp Act the point at which submission ends was actually passed for many of his fellow-countrymen. In July, he was to write his famous apologia to Charles Thomson:

Depend upon it, my good neighbour, I took every step in my power to prevent the passing of the Stamp Act . . . We might as well have hindered the sun's setting. That we could not do. But since 'tis down, my Friend, and it may be long before it rises again, let us make as good a night of it as we can. We may still light candles.[3]

[1] "Observations," in the *London Chronicle*, January 15, 1765; and "North American," reprinted in the *Newport Mercury*, June 3, 1765, probably from the *Westminster Gazette*.

[2] On Franklin and the Mutiny Act (5 Geo. III, *c.* 33), see *Writings*, IV. 388; V. 18. Bernard Faÿ, in his *Franklin, the Apostle of Modern Times*, p. 315, makes this a provision of the Stamp Act. In the Am. Philos. Soc., Franklin MSS., L (ii), 55, is a draft in Franklin's own hand of a note to Welbore Ellis, Secretary at War: "Mr Glover & Mr Trecothic from the Committee of North American Merch^ts present their respectful Compliments to Mr [Ellis—name struck out] Secretary at War, and request half an Hours Audience of him on the Mutiny Bill. . . . " The agents' card is in the *Newport Mercury*, July 8, 1765, reprinted from the *Gazetteer*, May 2, 1765; the letters by "An American" are in the *St. James's Chronicle*, April 18 and 23, 1765.

[3] *Writings*, IV. 390.

II

EVERYONE quotes this letter and draws the deduction that Franklin saw but dimly into the future. He saw no further into the American response to the Stamp Act, certainly, than all men in England, and, until Virginia spoke, most men in America. But there is an interesting sequel which has been overlooked. In September, Charles Thomson wrote a reply to Franklin to set him right upon the sentiments of the Americans; and in November Franklin procured the publication in the *London Chronicle*, through the agency of his friend William Strahan, of excerpts from this correspondence,[1] with the signatures suppressed, as part of an active campaign to reopen that issue which, in July, he had thought was pretty definitely closed.

Early in August Franklin was writing to John Hughes: "As to the Stamp Act, tho' we purpose doing our Endeavour to get it repeal'd, . . . yet the Success is uncertain."[2] The incentive to renew the battle was furnished partly by the more favorable complexion of the Rockingham ministry, chiefly by news from America. Long before Franklin had received his answer from Thomson, and apparently before he had been fully informed of his ominous unpopularity in Pennsylvania—this was the news from America which, it has sometimes been alleged, stirred him to new activity—other sensational dispatches from the colonies had at first disturbed him, and then plunged him into a vigorous campaign of publicity which was the prologue to the great battle for repeal. To John Hughes he had written calmly enough of the first political repercussions of the Stamp Act in Pennsylvania, but in evident alarm at the radical resolves of the Virginia burgesses, which were provoking dangerous resentment at home. The "madness of the populace" in America and their "blind leaders" must be curbed; but equally the rising storm of disapproval in England must be stayed by a skilful pleading of America's case, lest worse befall. During the fall British public opinion grew steadily more hostile with the news of the American riots. For the next six months Franklin devoted himself with amazing industry and skill to propaganda.

The discovery of Franklin's specific contributions to the debate which began in August and September is a task of no little difficulty, and the conclusions here stated must at many points be regarded as tentative. As to his activity, especially in the later months of the controversy, there is plenty of testimony. Strahan was partly in the secret; in January he wrote

[1] *London Chronicle*, November 16, 1765. See Franklin to Thomson, February 27, 1766, *Writings*, IV. 411.

[2] *Writings*, IV. p. 392.

to David Hall that "all this while too, he [Franklin] hath been throwing out Hints in the Public Papers, and giving Answers to such letters as have appeared in them, that required or deserved an Answer.—In this Manner is he now employed, with very little Interruption, Night & Day."[1] To Lord Kames, Franklin himself wrote: "You guessed aright in supposing that I would not be a *mute in that play*."[2] Dr. John Fothergill and other friends of the Pennsylvania agent rallied to his defence;[3] and in 1767 the new *Pennsylvania Chronicle* devoted much space in several of the early numbers to his rehabilitation. A long essay by "A Lover of Justice" was inserted to prove that Franklin's activities in aid of repeal, as a lobbyist and writer, had been persistent and effective.[4] In succeeding numbers William Goddard reprinted nine essays contributed by Franklin to London newspapers in 1765 and 1766. For lack of space Goddard omitted other pieces, but in his explanation supplied a clue to identify two or three of the earliest and most significant of these. For the rest it is possible to reach certain conclusions by a critical use of internal evidence. With regard to some items it can only be said that they reflect his ideas or bear traces of having been revised by his hand. Even so, the conclusion is well justified that Franklin became thus early the engineer of the American propaganda machine in London. In this capacity he reprinted the more notable pamphlets from America; encouraged much writing in England; and himself wrote some of the most persuasive essays. These activities, begun in 1765, he continued throughout his residence as agent in England, especially in the years through 1770; the greater part of this writing has not hitherto been recognized as Franklin's. The widespread reprinting of his pieces in the American papers raises the further interesting question, as yet largely ignored, of his direct influence upon the ideas as well as upon the polemic of the American Revolution.

One significant fact that emerges from a close inspection of his propagandist writings between September, 1765, and the repeal of the Stamp Act, and even more decisively from his unprinted private musings on the controversy, is that as he elaborated the American case he rapidly advanced in his own thinking to more radical views of the character of American rights. When Bradford later published a deadly parallel between Galloway's "Americanus" essay and Franklin's *Examination*,[5] he revealed only

[1] *Pennsylvania Magazine of History*, X. 92. [2] *Writings*, V. 16.

[3] Historical Society of Pennsylvania, Penn Papers (MSS.), Official Correspondence, X. 35; Pemberton Papers (MSS.), XXXIV. 142.

[4] *Pennsylvania Chronicle*, February 9, 1767. See also the issues for February 16, 23, March 9, 23, 1767. These pieces are incompletely reprinted in *Writings*, IV. 393–399; V. 14–15.

[5] *Pennsylvania Journal*, September 25, 1766.

a part of the distance in ideas which had come to separate those two allies in Pennsylvania politics. Yet Franklin in one respect kept closer touch with Galloway than with any other American: in his hope of perfecting, on a liberal model, what he called a "consolidating union" with Great Britain.

The Virginia Resolves, in the colonies an "alarm bell to the disaffected," raised other echoes in England. Among the Franklin essays for which Goddard could find no room in his *Chronicle*, some, he said, "are sign'd A Virginian, being in answer to some Reflections cast on that Colony and Maryland."[1] An examination of the London newspapers of this period has brought to light three pieces, printed in September, 1765, which answer this description.[2] Two were actually signed "A Virginian," and besides this significant signature reveal such other internal evidences of Franklin's authorship that it is reasonable to assign them definitely to him. With the third essay, signed "Equity," they fall into a familiar Franklin category of propitiatory argument. They contain a partial concession to the views of the opposition; they develop an adroit parallel between English and American motives and actions, and English and American rights; and they finally advance, by a Socratic route, to higher ground of principle. In a "*P.S.* Quaere" appended to his second letter, "A Virginian" touched, however tentatively, upon those difficult questions of compact and of natural right on which singularly little is to be found, save by implication, in Franklin's acknowledged publications:

> Are the children of English parents that are born in foreign parts of course subjects to our King? I ask only for information, though I am inclined to think that they are not. And if they are not so naturally, what is it can make them so but their own consent? and if the first settlers then, that went over to America, had charters from the King, by which they and their posterity were to form assemblies, make laws, &c. is it not a kind of compact by which their posterity agree to become his subjects upon those conditions? Now if these charters can be made void by an Act of Parliament, will that very Act destroy the Compact by which they became subjects? I may be wrong in this particular, and, if I am, shall be glad to be set right in it.

Here is radical doctrine, surely, for 1765; especially radical for the cautious and pragmatic Franklin. Cautious and pragmatic he usually was in his admitted utterances, and even in his anonymous publications. But it is of great importance in the exploration of his mind to recognize that thus

[1] *Pennsylvania Chronicle*, March 23, 1767.

[2] "A Virginian," in *Lloyd's Evening Post*, September 2, 11, 1765 (the letters were dated, respectively, August 23 and September 5); "Equity," in the *Boston Evening-Post*, December 2, 1765, reprinted from the *Gazetteer*, September 3, 1765.

early he had traversed in speculation, however imperfectly and apologetically, pretty much the whole ground that would be covered in the next decade by the theoretical expounders of American rights.

Theory, however, was subordinated in most of Franklin's writing against the Stamp Act to arguments from expediency and material interest. Over the signatures "F. B.," "N. N.," "Homespun," "Pacificus Secundus," and probably also "Americus," "Justice," and "O,"[1] he resented the calumnies on the Americans circulated by "Tom Hint," "Vindex Patriae," and other "writers against the colonies." "Pacificus" drew his fire, not only as an advocate of the doctrine of virtual representation, which Franklin turned neatly into a paradox, but even more as an advocate of enforcement of the tax by military power—a threat which Franklin regarded as a very serious practical danger. He devoted much of his polemic in December and January to thwart it. To the charges of American ingratitude he repeatedly advanced the sacrifices of blood and treasure which the colonists had made in the last war—a war which he described as primarily in the interest of British trade—and reminded Englishmen that the riches of the colonies centered finally, through trade, in Britain. With characteristic frugality as a writer he got out and refurbished the arguments on taxation embodied in his letters of 1754 to Shirley; these indeed were printed, in February, 1766, in the *London Chronicle* and in several periodicals, no doubt at his instance. Another useful arsenal he found in his own Canada pamphlet of 1760, *The Interest of Great Britain Considered;* from it especially he drew his arguments from commercial expediency, based upon his former observations of the rapid increase of colonial population and trade. Indeed the recurrence, not merely of ideas and of arguments, but also of phraseology drawn from the Shirley letters and the Canada pamphlet furnishes one of the best clues to Franklin's authorship of certain of the pamphlets as well as numerous newspaper essays in the Stamp Act debate.

The motives which impelled Franklin to draw the veil of anonymity over much of his writing in this period are not far to seek, though his enemies gave them the worst construction. His possession of a crown appointment in the Post Office did not make him anti-American, as was insinuated; but it certainly confirmed him in his instinctive prudence. It is also true that he was shrewdly aware that his arguments for American rights would gain in effect in England if they seemed to come from a less

[1] "Americus," in the *Newport Mercury*, February 3, 1766, reprinted from the *Public Ledger*, November 22, 1765; "Justice," in the *Newport Mercury*, February 17, 1766, probably from the *Gazetteer;* "O," in the *Boston Evening-Post*, March 17, 1766, reprinted from the *Gazetteer*, December 16, 1765.

interested source than a colonial agent. On occasion he posed in his essays as an Englishman, with neither kinsfolk nor property overseas. It was an age of anonymity in controversy, and such devices were neither uncommon nor, by contemporary standards, especially dishonest. But Franklin had to pay for his prudence in vituperation from the friends of the Penns and, probably, from the friends of the Massachusetts agent, De Berdt. One notable libeller of the Doctor—also an anonymous writer—in a letter from London, printed in the *Pennsylvania Journal*, charged that Franklin had basely kept silence in face of the threat to American liberties:

> Several pens were employed to plead the cause of America, by every argument that might affect our sense of humanity, justice, or interest. But why does not the Pennsylvania agent write? He has leisure and a masterly pen; The question was never answered.[1]

The question can now be answered, however, in a sense more favorable to Franklin's zeal and industry. His masterly pen was not idle. Besides numerous newspaper essays, it is probable that he wrote also certain pamphlets. That he set out to write one Stamp Act pamphlet early in 1766 can be shown beyond question. Among the Franklin manuscripts are eight folios, in his hand, of an intended tract, including two folios of a first draft and six folios of a revised version. That these were originally designed for pamphlet publication, rather than as newspaper essays, can be easily demonstrated. The draft is incomplete; so far as it goes it covers, with certain gaps, the history of the causes and development of the American disputes from the time of the failure of the Albany Plan of Union, so largely the work of Franklin, through the enactment of the new trade regulations, the Currency Act, and the Stamp Act; there are also reflections upon the misrepresentation of American conditions by British colonial officials. Even in the form in which it has survived it has distinctive quality. It promised to be an argument at least on the level of Franklin's well-known "Causes of the American Discontents" (1768). It has not been found possible to identify it with any of the numerous anonymous pamphlets of the time. Rather it seems probable that it was undertaken shortly before repeal, and then laid aside, unfinished, as a superfluous exercise. One passage Franklin salvaged in 1767 when he printed it in a letter to the *London Chronicle* as a quotation from an unnamed author: "one who had lived long in America, knew the people and their affairs extremely

[1] *Pennsylvania Journal*, Supplement, September 18, 1766: "An Essay, Towards discovering the Authors and Promoters of the memorable Stamp Act, In a Letter from a Gentleman in London, to his friend in Philadelphia."

well—and was equally well acquainted with the temper and practises of government officers."[1]

The existence of this fragment of a pamphlet increases the probability that elsewhere among the unsigned political tracts which issued numerously from the English as from the American presses in that year may be discovered some one or more to which his name may reasonably be attached. Actually the present writer has found two such pamphlets, printed in London in December, 1765, and January, 1766, which are closely integrated in argument, and each of them is so intricately interwoven in materials and expression with Franklin's known writings over a long period—indeed from 1754 to 1775—that they seem clearly to belong to the Franklin canon. While the proof of these suspicions would strongly reinforce the case for Franklin's important rôle in the propaganda, and would help to define somewhat more clearly his ideas of the empire and of American rights, since one of the pamphlets asserts a claim to colonial home rule, it is here omitted because of the necessity of an elaborate textual analysis.

III

BEHIND the propaganda barrage the active political movement for the repeal of the Stamp Act and for the reform of the trade regulations got under way. Early in November, 1765, Franklin had a long audience with the young Lord Dartmouth, with whom he was greatly pleased; he was also invited to dine with Rockingham. He urged upon Dartmouth—probably also upon Rockingham—that "the general Execution of the Stamp Act would be impracticable without occasioning more Mischief than it was worth, by totally alienating the Affections of the Americans from this Country, & thereby lessening its Commerce." At the time he apparently thought that it was useless to press for immediate repeal; instead, he argued that Britain should suspend the act

> for a Term of Years, till the Colonies should be more clear of Debt, & better able to bear it, & then drop it on some other decent Pretence, without ever bringing the Question of Right to a Decision. And I strongly recommended either a thorough Union with America, or that Government here would proceed in the old Method of Requisition, by which I was confident more would be obtained in the Way of voluntary Grant, than could probably be got by compulsory Taxes laid by Parliament. . . . That to send Armies & Fleets to enforce the Act, would not, in my Opinion, answer any good End.[2]

[1] Am. Philos. Soc., Franklin MSS., L (ii), 27, 30a, 31, 31a, 31b, 31c, 31d, 31e. A draft of the letter in the *London Chronicle*, April 9, 1767, is found in *id.*, L. 9.

[2] "Extract of a Letter from B. F. to W[illiam] F[ranklin]," London, November 9,

Finally he proposed to Dartmouth that upon the suspension of the act a royal commission of "three or four wise & good Men, Personages of some Rank & Dignity," be sent over to America to hear the complaints of the colonists, promise them redress, and endeavor "to convince & reclaim them by Reason, where they found them in the Wrong." The whole conversation with Dartmouth, as reported by Franklin, was a characteristic exhibition of his firm but cautious strategy of reconciliation, designed to avert that danger which he was already predicting from harsher measures—"of a future total Separation."

Suspension of the Stamp Act was the objective in early November; but a month later the agents were ready to press for immediate repeal. They had won powerful reinforcements from the mercantile group. On December 4, 1765, there assembled at the King's Arms Tavern a great meeting of the merchants trading to North America. From this meeting came the formation of that enterprising committee, headed by Barlow Trecothick, which more than any other agency was responsible for the repeal. The story of its activities has recently been told:[1] the drumming up of petitions for repeal from the trading and manufacturing towns and the arrangement of hearings, such as Franklin's, before the Commons. A temporary alliance of the North American and West Indian committees paved the way for an unprecedented mercantile domination of that session of parliament: before the coalition of these naturally discordant interests was dissolved, it resulted, not merely in repeal of the Stamp Act, but also in a partial reform of the American trade regulations.

Franklin's connections with the committee of London merchants trading to North America are, however, a matter of dispute. He was charged with standing outside the movement and only raising his voice, in his examination, after the success of the repeal agitation had already been determined by a private poll of the Commons; but this testimony comes from a discredited source.[2] To be sure, Franklin's relations with the

1765, Charles Norton Smith MSS., II. 44, Historical Society of Pennsylvania. This is a copy in the handwriting of William Franklin. The original letter, not at the moment available, is in the Mason collection of Franklin material recently acquired by Yale University.

[1] L. S. Sutherland, "Edmund Burke and the First Rockingham Ministry," *English Historical Review*, XLVII. 46–70. At several points this new and illuminating exposition of the twofold movement for repeal and trade reform can be supplemented by a reading of the many extracts dealing with the movement from letters from London which were published in the colonial newspapers in the early months of 1766. In particular it appears that trade reform was the original purpose of the merchants, but that they were persuaded, probably by the arguments of the colonial agents, to concentrate first upon repeal.

[2] *Pennsylvania Journal*, Supplement, September 18, 1766.

Massachusetts agent, De Berdt, a member of the committee, were very cool, and this may have limited his coöperation. There is evidence, however, that he was twice present at meetings of the committee. His association with Trecothick and an earlier merchants' committee in the previous spring will be recalled.

The climax of Franklin's propaganda against the Stamp Act, if not of the development of his privately held political views, was reached on the occasion of his famous examination before the House of Commons in February, 1766. The affair was elaborately stage-managed. The groundwork had been well laid by the committee of North American merchants; and it is known that Franklin himself concerted with friendly members of the Commons those leading questions which gave him his opportunity to score heavily against the feasibility of the measure. His answers were quite as ready to the hostile questions of Grenville and other opponents of repeal, which suggests that he had carefully prepared the whole case. He drew largely for his arguments from his own previously printed essays. Moreover, he probably came into the House well armed with notes. Indeed there exist among his manuscripts two sets of memoranda which bear strong indications that they were prepared for this occasion. Certainly they were drawn up during the height of the agitation for repeal; and several striking parallels between them and the printed *Examination* point to a closer connection.[1]

The notes in question also include a number of ideas and arguments which Franklin did not develop in his examination, if the printed text can be supposed to be reasonably complete. The most interesting of these additions are the suggestions of "Three Ways of avoiding these Inconveniences"[2]—the inconveniences, that is, of parliamentary taxation. This passage brings into interesting conjunction the three expedients which, since 1754, Franklin had formulated to solve the imperial problem in America. The synthesis is far from complete—indeed the suggestions were offered as alternative ideas. The first alternative, discussed at some length, was his current proposal, concurred in by Otis but repugnant to most Americans, of colonial representation at Westminster. The arguments that were stressed for this solution seem to have been contrived rather for British than for American ears. The second suggestion was the plan of the Albany Congress, drafted by Franklin, for a common council to represent the colonial

[1] Am. Philos. Soc., Franklin MSS., L (ii), 46, 51. These parallels include two of the most famous passages in the *Examination:* the description of the altered temper of the Americans toward Great Britain after 1763; and the long discussion of colonial participation in the last French war and the character of the war as one for the supremacy of a British interest, the Indian trade. See *Writings*, IV. 418–419, 436–439.

[2] Am. Philos. Soc., Franklin MSS., L (ii), 51.

assemblies. The third, barely listed here, was the proposal which Franklin had made to Grenville early in 1765 as a substitute for the Stamp Act, "the Paper Money Scheme." Of these three choices only the first was actually developed by Franklin in his examination, and then only in a negative sense, to deny the right of parliament to tax the colonies until properly qualified by the admission of colonial members.

In the examination, as is well known, Franklin in general skilfully avoided the knotty questions of the basis of the colonial claims; and he asserted the claim for exemption from taxation within the narrow limits of internal taxation. On this head one passage has often been cited as an example of his suppleness in argument. He had admitted that the distinction between external and internal taxation did not exist in the language of the charter; might not the colonists, he was asked, "by the same interpretation, object to the Parliament's right of external taxation?"

> A[nswer]. They never have hitherto. Many arguments have been lately used here to shew them, that there is no difference, and that, if you have no right to tax them internally, you have none to tax them externally, or make any other law to bind them. At present they do not reason so; but in time they may possibly be convinced by these arguments.[1]

Commentators have emphasized in this passage the prophecy—or threat—implied in the phrases "at present" and "in time." Is it not quite as significant that Franklin was speaking here in the third person, not in the first? Again he declared, in the same tone of reporting the sentiments of the Americans rather than arguing his own views:

> The authority of parliament was allowed to be valid in all laws, except such as should lay internal taxes. It was never disputed in laying duties to regulate commerce.[2]

Here, too, one detects, as so often in Franklin's writings, the suggestion of an *arrière pensée*. The influence of the organized merchants, who had prepared the scene for the examination, was continuously exerted in 1766 to suppress the discussion of large constitutional issues. Franklin, with his usual caution, was not unsympathetic with these tactics, and in his examination brought them to brilliant perfection. Indeed, throughout the whole of his newspaper and pamphlet polemic, in the years after the repeal of the Stamp Act as well as at this time, when he advanced the more limited claims of the Americans, he generally wrote in the character of a reporter of the principles held overseas. His own views he kept prudently in reserve, even in his correspondence, until, around 1768, he began to communicate them, in strict confidence, to a few of his American friends. In

[1] *Writings*, IV. 446. [2] *Id.*, p. 419.

consequence, those students who have read only his published political essays, and have then encountered these later revealing letters, have concluded that it was not until some years after the Stamp Act excitement, when new measures had raised new issues, that Franklin began to revise his views of parliamentary authority and of American rights in the direction of home rule.

IV

LUCKILY there exist certain clues to the well-kept secret of his private opinions in the winter of 1765–66. It was Franklin's habit to enter comments in the margins of his copies of the controversial tracts. Many such revealing marginalia are to be found in the pamphlets still preserved from Franklin's library. Some of these were reproduced, not too completely or accurately, by Jared Sparks and John Bigelow; but the latest Franklin editor, Smyth, regarded them as too "crude and fragmentary" to deserve much attention. Actually they are of first-rate importance, and it is curious that they have not been carefully studied to trace the workings of Franklin's mind on imperial problems before the Revolution. There are difficulties, to be sure, in determining in certain instances just when the notes were set down. Several of the pamphlets in question were printed in 1769 and 1770, and were apparently annotated by Franklin in those years, when he had already given the clue to his ideas of colonial autonomy in letters to his son and to Samuel Cooper. There are, however, three annotated tracts of 1765 and 1766 in which the marginalia bear indications of strict contemporaneity; in the case of the more important of these the evidence is especially strong. The three are: a collection of colonial charters; William Knox, *The Claim of the Colonies to an Exemption from Internal Taxes imposed by Authority of Parliament, Examined* (1765); and *Protest against the Bill to Repeal the American Stamp Act, of Last Session* (1766).[1]

When the Americans, in 1765, began to question the validity of parliamentary taxation, their first appeal, generally, was to their charters. The charters therefore acquired a new interest for the English public. Their texts were now published in the periodicals, and separately as pamphlets.[2]

[1] On Franklin's library and the present location of Franklin's copies of the controversial pamphlets of this period, some of them annotated, see George Simpson Eddy, "Dr. Benjamin Franklin's Library," *Proceedings of the American Antiquarian Society*, n.s., XXXIV. 206–226. Franklin's copy of the charters is in the Historical Society of Pennsylvania; the other two items are in the New York Public Library.

[2] F. J. Hinkhouse, *The Preliminaries of the American Revolution as seen in the English Press*, 1763–1775 (1926), pp. 93–94; and advertisements, as in the *Daily Advertiser*, January 11, 1766.

Franklin possessed himself of one such collection which he indexed in the margins for ready reference; at numerous points he underscored the text and entered brief notes. Naturally he did not overlook those charter clauses which defined a power of taxation in the colonial governments.[1] Several times, too, he emphasized the grant to the colonies of legislative powers. One may perhaps infer that thus early he was gathering ammunition upon the larger issue, as yet remote from most men's minds, of colonial legislative autonomy. Elsewhere in his marginalia the evidence passes from inference to certainty.

The proofs appear in his comments, probably contemporaneous with the Stamp Act controversy, in the Knox pamphlet; and rather more decisively in the marginalia of the first Lords' *Protest* (1766), which were quite certainly written down close to the time of its surreptitious publication. Here the notes have the unmistakable character of memoranda for a contemplated reply—such a reply as might have been made with effect in the spring of 1766, but which Franklin would hardly have planned to write at a later time.[2] No such reply to the protesting peers was printed, probably because public interest in the American question evaporated so quickly after repeal. But the ideas discoverable in these marginalia were clearly those which Franklin held in the spring of 1766.

These ideas, it soon becomes apparent, struck at the roots of the doctrine of parliamentary sovereignty in the colonies. "The Sovereignty of the Crown I understand," Franklin wrote in the margin of the first *Protest*. "The Sov^{y} of the British Legislature out of Britain, I do not understand."[3] In January, 1766, in a newspaper letter signed "N.N.," he had already argued that the extent of parliamentary power in the dominions was a

[1] Franklin was uncomfortably aware of the reservation in the Pennsylvania charter of which the Grenvillites made so much: "King covenants not to tax but by Assembly or Act of Par^{t}" was his entry opposite this clause. When he noted the point in Knox, *The Claim of the Colonies* (p. 5), he wrote: "A Right that never existed cannot be a Right *Reserved*. . . . Qu^{y} If the Parliament had before no such Right, it would not be given to them by Words in the Charter?" See also his argument in his examination, *Writings*, IV. 445.

[2] At the head of the title-page is a mutilated entry: " . . . mean by a thorough Inquisition of the Point to procure a Settlement of Rights." Again, opposite the record of the vote in the House of Lords on repeal, is the memorandum: "Comp[limen]t the Lords . . . Proof of my Opinion of their Goodness in the Freedom with which I purpose to examine their Protests." And following a passage in which the peers had contested the right of the Americans to be exempt from a due share of the imperial burdens, he wrote: "Repeat on this Head all that has been done & paid by America.—King's Message, Parl^{t} Grants, &c." Where the Lords alleged that the last war was entered upon "for the interest and security of those Colonies," Franklin wrote: "The fact deny'd. State the Cause & Effect of the War. The expensive Manner of Carrying it on &c." Others of these marginalia are in the same style of hints for an intended rejoinder.

[3] *Protest against the Bill to Repeal the American Stamp Act* (1766), p. 11.

moot point, yet to be settled authoritatively. But meanwhile parliament had adopted the resolutions of right which were incorporated in the Declaratory Act. In his examination Franklin roundly asserted that the Americans would think these resolutions "unconstitutional and unjust."[1] "It is to be wish'd it had not asserted it," he wrote of the Declaratory Act in his copy of the first *Protest*, "or asserted it with some Limitation as when *qualified* etc"; and in his copy of the second *Protest* he entered an emphatic counter-protest against the Declaratory Act.[2]

Usually Franklin preferred an indirect to a frontal attack upon parliamentary sovereignty. "Anxious about preserving the Sovereignty of this Country?" he wrote on the first *Protest*. "Rather be so about preserving the Liberty. We shall be so about the Liberty of America, that your Posterity may have a free Country to come to, where you will be rec^{d} with open Arms." In this passage Franklin set down, more succinctly than elsewhere, a train of argument, based upon the rights of the subject rather than upon an analysis of parliamentary powers, which was a favorite theme in his political writing. The note might, indeed, be taken as a summary of one of the suspected Franklin pamphlets published late in January, 1766.

In 1766 as clearly as in 1770, Franklin drew a sharp distinction between realm and dominions. "The Colonies," he remarked in his *Examination*, "are not supposed to be within the realm; they have assemblies of their own, which are their parliaments, and they are, in that respect, in the same situation with Ireland."[3] In the marginalia he repeated the distinction again and again. When the protesting peers denounced as "a most dangerous doctrine" the asserted colonial opinion "that the obedience of the subject is not due to the Laws and Legislature of the Realm, farther than he in his private judgment shall think it conformable to the ideas he has formed of a free constitution,"[4] Franklin commented:

> The Danger easily removed. The Subject in America only. America not in the Realm of England or G.B. No man in America thinks himself exempt from the Jurisdiction of the Crown & and their own Assemblies—or has any such private Judgm^{t}.

The power of taxation, the Lords declared, "cannot be properly, equitably or impartially exercised, if it does not extend itself to all the members of the state. . . ."[5] Franklin agreed, but now unmistakably defined the em-

[1] *Gazetteer*, January 11, 1766, reprinted in the *Pennsylvania Chronicle*, March 9, 1767; *Writings*, IV. 421.

[2] *The Works of Benjamin Franklin*, Jared Sparks, editor, IV. 209–210; *Protest*, p. 13.

[3] *Writings*, IV. 441.

[4] *Protest*, p. 12. [5] *Id.*, p. 6.

pire as a loose personal union in the Crown: "right; but we are different States. Subject to the King." When Knox, in his attack on the charter exemptions, contended that the constitution of Great Britain "acknowledges no authority superior to the legislature, consisting of king, lords, and commons,"[1] Franklin queried: "Does this Writer imagine that wherever an Englishman settles, he is Subject to the Power of Parliam[t]?" Knox's description of the colonists as subjects of Great Britain[2] he rejected in a note which goes all the way in its denial of parliamentary sovereignty over the colonies: "The People of G. Britain are Subjects of the King. G.B. is not a Sovereign. The Parliament has Power only *within the Realm.*" Again, when the Lords in the first *Protest* referred to the dependency of the colonies "on the imperial Crown and Parliament of Great Britain,"[3] Franklin underlined "Parliament" and supplied this note: "Thrust yourselves in with the Crown in the Government of the Colonies. Do your Lordships mean to call the Parliament *imperial* [?]"

Franklin, it is clear, had come by 1766 to reject in principle the idea of the imperial character of parliament as then constituted, and was certainly aware that the implication of this denial extended far beyond the immediate debate over taxation. To be sure, he recognized that in these private views he was ahead of his time, ahead, indeed, of most American sentiment.[4] When the Lords charged that the case which the Americans were making against taxation without representation actually "extends to all other laws,"[5] he entered no denial on his own behalf, but remarked, in language strikingly similar to that which he had used in his examination upon the more restricted topic of internal and external taxation: "It is so reason'd here, not there, but in time they may be convinc'd."

Now any such theory of colonial legislative autonomy within the empire was vulnerable at two points, as the later debates were to demonstrate: in point of law, and in the light of practice and precedent. To the latter difficulty Franklin gave rather more attention than to the former. His own arguments were often drawn from history; but as a reasonable man he had

[1] William Knox, *The Claim of the Colonies* (1765), p. 8.

[2] *Id.*

[3] *Protest*, p. 4. Franklin, to be sure, struck out the second sentence, but apparently because it rested upon a strained reading of the text. Franklin also wrote "Neg." in the margin opposite this passage.

[4] There was, to be sure, a good deal of home-rule sentiment and expression in America from the beginning of the controversy, as Professor C. F. Mullett has clearly shown in his "Colonial Claims to Home Rule (1764–1775)," *University of Missouri Studies*, II, no. 4 (1927).

[5] *Protest*, p. 10. This claim, the text continued, "must (if admitted) set them absolutely free from any obedience to the power of the British Legislature." Franklin commented: "but not to the Power of the Crown."

to recognize that, since the Restoration at all events, parliament had often legislated for America. This difficulty he confronted in his own thinking during the Stamp Act discussions, and thus early formulated his reply—not, on the whole, a very convincing one. At the head of his notes for a reply to the first Lords' *Protest* he wrote:

> We have submitted to your Laws, no Proof of our acknowledging your Power to make them. Rather an Acknowledgment of their Reasonableness or of our own Weakness.

Knox, in his pamphlet, asserted:

> I find almost as many instances of the parliament's exercising supreme legislative jurisdiction over the colonies, as there have been sessions of parliament since the first settlement of America by British subjects.[1]

Franklin's reply was categorical: "All Usurpations of Power not belonging to them; many unjust."

Franklin's theory of usurpation was modified by a parallel doctrine of consent. This was most clearly stated, perhaps, in a letter to Thomas Cushing written in 1771:

> My opinion has long been that Parliament had originally no Right to bind us by any kind of Law whatever without our Consent. We have indeed in a manner consented to some of them, at least tacitly. But for the future methinks we should be cautious how we add to those Instances, and never adopt or acknowledge an Act of Parliament but by a formal Law of our own. . . .[2]

When English writers brought forward the precedents of the Post Office, the Hat Act, or the Navigation Acts, Franklin was ready to acknowledge a tacit consent which gave those statutes separately a validity in America, but which manifested no general consent and hence conferred no general legislative powers. In some fashion or other laws binding upon the Americans must receive their assent: in their own assemblies, in a common council representing the assemblies, in a properly representative parliament, or, as in the past, in the crude fashion of colonial submission to reasonable legislation. With respect to taxation, at least, Franklin made this

[1] *The Claim of the Colonies*, p. 9. Knox specified, among other such acts, those "restraining their commerce; prohibiting the carriage or exportation of their manufactures from one colony to another; taxing the productions of one colony when brought into another." Franklin underscored these lines, and wrote: "Wicked." When the Lords referred to "the wise policy" of the Navigation Act and subsequent trade laws (*Protest*, p. 11), Franklin observed: "The Policy *wise* with regard to foreigners. Selfish with Reg[d] to Colonies." Opposite the prediction of evils which would follow "that absolute freedom of trade, which they appear to desire," he wrote "Qu[y]. Other Advantages of Colonies besides Commerce. Selfishness of Commercial Views."

[2] *Writings*, v. 324–325.

very clear. "The Trust of Taxing America," he wrote in 1766, "was never reposed by the People of America in the Legislature of Gr. Britain."[1]

The logical corollary of such a denial of parliamentary sovereignty as Franklin was shadowing forth as early as these Stamp Act days was a claim to the complete legislative independence of the colonial assemblies. But Franklin, a pragmatist, for some time refused to be entirely logical. In 1766 and 1767, he was content to formulate the lesser claim to *internal* legislative autonomy. To Lord Kames, in April, 1767, he communicated his doubts of the sovereignty of parliament, but added, sensibly:

> On the other hand, it seems necessary for the common good of the empire, that a power be lodged somewhere, to regulate its general commerce: this can be placed nowhere so properly as in the Parliament of Great Britain.[2]

Here was a practical concession such as John Adams, among others, was willing to make as late as 1774. Franklin at first rationalized it, not too ingenuously, in the distinction between internal and external taxes. By 1768, he was ready to throw this distinction overboard; to his son he wrote: "I shall not give myself the trouble to defend it." The real grievance, he had come to think, was not that Britain taxed her exports to the colonies—all countries had a power to tax their exports to foreign countries—but that she

> forbids us to buy the like manufactures from any other country. This she does, however, in virtue of her allowed right to regulate the commerce of the whole empire, allowed I mean by the Farmer, though I think whoever would dispute that right might stand upon firmer ground, and make more of the argument. . . .[3]

Not the logic of his constitutional theory, but his economic liberalism and his strong sense that America was a rapidly expanding and maturing community, urged him forward to a radical view of the empire as a commonwealth of free peoples joined in allegiance to the king.

Franklin, however, was not always content to define and justify this conception of the true colonial constitution as a loose personal union. He was, after all, very much an imperialist himself, often stirred to eloquence by dreams of the future power and grandeur of a Greater Britain. In certain moods he could counsel a return to the good old way as it had been happily practised before the late innovations in the government of colonies. At other times he advanced beyond home rule to advocate the creation of a more perfect union of realm and dominions. He was in such

[1] In the margin of the *Protest*, p. 7.

[2] *Writings*, v. 20–21.

[3] *Id.*, pp. 115–116.

a mood when, in 1766, he wrote in his copy of the first *Protest:* "The Agitation of the Question of Right makes it now necessary to settle a Constitution for the Colonies."[1]

Unfortunately only the vague outlines of Franklin's "constitution" are discernible. It is well known that more than once he proposed the admission of colonial representatives to the parliament at Westminster, but it has not been so clearly understood that this was a detail in his scheme for a "consolidating union." He seems to have been influenced in this direction during the Stamp Act crisis by his correspondence with the Scottish jurist and *philosophe*, Henry Home, Lord Kames, and no doubt by Galloway. In a belated reply to a letter from Kames of December, 1765, now lost, he wrote in 1767:

> I am fully persuaded with you, that a *Consolidating Union*, by a fair and equal representation of all parts of this empire in Parliament, is the only firm basis on which its political grandeur and prosperity can be founded.[2]

By such means a "supreme legislature" would *for the first time* be created. "There is yet no such Thing," Franklin wrote in his copy of the first *Protest*. "It is indeed wanted and to be wish'd for."[3] In a letter of May 9, 1766, to Cadwallader Evans, he was somewhat more explicit:

> It would certainly contribute to the strength of the whole, if Ireland and all the dominions were united and consolidated under one common council for general purposes, each retaining its particular council or parliament for its domestic concerns.[4]

The creation of such a "consolidating union" must be the result of some such formal act of union as had earlier united England and Scotland: an act which by "ascertaining the relative Rights and Duties of each" would put an end to disruptive disputes.[5]

These liberal imperial ideas of 1766 Franklin continued to propound, at least in his more hopeful and idealistic moods, till almost the eve of his departure from England. Yet even in 1766, in more realistic moments, he had begun to despair of a solution upon any such broad basis of imperial federation. To Evans he had recalled the tale of Friar Bacon and Friar Bungay, with its fatalistic theme: time is, time was, time is past. "The time has

[1] *Protest*, p. 15.

[2] *Writings*, v. 17–18, 21. Cf. "Letter concerning the Gratitude of America," January 6, 1766, *id.*, IV. 400–404.

[3] *Protest*, p. 8. See also *Writings*, v. 260, for another expression of this view in 1770.

[4] *Writings*, IV. 456.

[5] See Franklin to Samuel Cooper, June 8, 1770, *id.*, v. 261. The quotation is from Franklin to Joseph Galloway, January 11, 1770, MS., William L. Clements Library.

been, when the colonies might have been pleased with it," he wrote to Kames in 1767: "they are now *indifferent* about it; and if it is much longer delayed, they too will *refuse* it."[1] To Galloway, whose faith was more persistent in those schemes of federation which each had developed, not without mutual counsel and encouragement, since Stamp Act days, Franklin wrote early in 1774:

I wish most sincerely with you that a Constitution was formed and settled for America, that we might know what we are and what we have, what our Rights and what our Duties, in the Judgment of this Country as well as in our own. Till such a Constitution is settled, different Sentiments will ever occasion Misunderstandings. But if 'tis to be settled, it must settle itself, nobody here caring for the Trouble of thinking on't.[2]

Thus Franklin was thrown back upon his other position, also well outlined in his thinking as early as 1766, of colonial autonomy. His classic statement of this contention occurs in a letter to his son, written in 1768, in which he rejected alike the "half-way house" of the Pennsylvania Farmer and also what he described as the Boston doctrine of the "subordination" of the assemblies to a Parliament whose power to make laws for them they at the same time denied:

Something might be made of either of the extremes; that Parliament has a power to make *all laws* for us, or that it has a power to make *no laws* for us; and I think the arguments for the latter more numerous and weighty, than those for the former. Supposing that doctrine established, the colonies would then be so many separate states, only subject to the same king, as England and Scotland were before the union.[3]

This utterance has been thought to mark Franklin's conversion to the radical doctrine of colonial autonomy, and to place him, even in 1768, well in advance of most of the theorists of the American Revolution. In almost every point it had been anticipated by Franklin himself during the Stamp Act crisis. His advanced ideas, to be sure, he only partially revealed at the time, and in later propaganda he often prudently withdrew to a more moderate debating position. But it would seem that he revealed the true history of his political ideas when, shortly before he left England, he wrote: "from a thorough Enquiry (on Occasion of the Stamp Act) into the Nature of the Connection between Britain and the Colonies, I became convinced, that the Bond of their Union is not the Parliament, but the King."[4]

[1] *Writings*, IV. 456; V. 17. See also "Francis Lynn," *id.*, V. 168. The germ of these passages is to be found in Am. Philos. Soc., Franklin MSS., L (ii), 46b.

[2] Letter of February 18, 1774, MS., William L. Clements Library.

[3] *Writings*, V. 115.

[4] *Id.*, VI. 260.

The Editor presented by title a note by Mr. FULMER MOOD on:

A Broadside

Advertising Eleuthera and the Bahama Islands London, 1647

THE Bahamas appear but seldom in English geographical literature of the middle seventeenth century. In 1644, William Castell, in his *A Short Discoverie of the Coasts and Continent of America, From the Equinoctiall Northward, and of the adjacent Isles*, devoted a short section to the islands. He knew nothing of them at first hand, however, deriving all his information from the Dutch geographer, De Laet. "To the North of *Hispaniola* and *Cuba*," he writes (p. 39), "between them and the Continent of *Florida*, lye the many small *Lucaick Ilands*, so neer one another, as they make those Seas very rough, heady and dangerous: besides this, there is nothing worth noting in them. . . ." Thus does he dispose of the islands, recommending those who would learn more to consult the pages of the Dutch writer. He excuses himself for the brevity of his account on the ground that the islands "are so many, and of so little worth."

About the time that Castell was publishing these lines in England, a certain George Gardyner, Esq., of Peckham in Surrey, was inspecting the islands with a view to applying for a grant of them. Nothing certain is known of this ambitious expectant capitalist, but there is a possibility that he was the son and heir of that Sir Thomas Gardyner of Camberwell (or Camberwell-Peckham) in Surrey who in 1631 was possessed of the manor of Basings.[1] George Gardyner, whoever he may have been, had a keen eye for business possibilities. He had also a graceful, lucid manner of describing what he saw in the American plantations, as is evidenced by his *A Description of the New World* (London, 1651). Castell's slighting judgment of the Bahamas did not meet with his approval; for himself, he felt interested enough to take steps to procure a patent investing him with powers over them.

The considerations that in part moved him to make this application can be gathered from reading a portion of the descriptive section of his book:

> On these Islands are no Inhabitants, those that did live there were a harmless simple people, and therefore the easier taken and carried away by the Spaniards that have made them so desolate, many of them seem of a good mould, and the Latitude promiseth much fertility. The arie [*sic*] is certainly good and wholsome, and not so extream hot, as other parts of that height.

[1] *The Victoria County History of Surrey*, IV. 32–33.

There is scarcely any beast on them save a Cony, that hath a taile like a Rat, but Pigeons and Brids [*sic*] in great numbers; most of them of greenish colour.

There is the Gumme *Benjamin* of the best and worst sort, *Guacom*, and *Sasaprila*, and *Sasafras*, and on some of them red wood and Amber-greece. The English Sea-men are little acquainted with these Islands although they saile round them yearely.[1]

Natural resources of this sort, besides the hope of discovering wrecked Spanish vessels well freighted with pieces-of-eight, were the lures that attracted Gardyner, while still in America, to apply for a patent. This he appears to have done in the year 1644. The sequel to his application he may be permitted to relate in his own words:

And since I petitioned for them, which was six years ago, and my absence hindred my prosecution: Captain *Sail* and others have obtained a Patent, making thither on the coast of an Island, which he called *Illutheria;* his ship was wrackt, but the people of the ship all saved, but recovered the shoare with few necessaries, I saw him after his escape from thence in a small boat of 3 Tuns recovering *Virginia*, where he procured a Pinnace of near 25 Tuns, with which he carried relief to those he left in the Island. But I understand by a Master of a Bark, that went from *New England*, that on a division was among them, they were leaving the Island. In my discourse with the said *Sail*, I understood that none of his company knew the place they intended, or were ever there, when they undertook the voyage. The coasts of most of them are dangerous, and bad to make, and that ship that shall be neer, or amongst them must keep the lead always going, but with a wary Pilot, and care in giving the Islands a fair birth, they are easily recovered.

The Spaniards know this place well, and have a yearly trade thither for the aforesaid Commodities, and amongst the Islands are wracks of divers of their ships.[2]

This episode seems to have been Gardyner's only experience with the Bahamas. He himself thereafter drops out of history, except for the publishing of his treatise on American geography at London early in 1651. It may be noted, however, that some years afterward there was residing on the island of Nevis one George Gardyner, who may perhaps be the disappointed Bahamian adventurer. Gardyner the author, it is certain, had visited that island before bringing out his book, and has a good report to make of it: "Here is the best Sugar of the *Caribey* Islands, some Indico, but little Cotton or Tobacco. It is an aguish Country and unwholsome, but by the good Government that hath been amongst them, the people live the happiest of all the *Caribey* Islands."[3]

The successful applicant for the Bahamas, as Gardyner tells us, was a "Captain Sail." This person was the William Sayle who had already been

[1] Gardyner, *Description*, pp. 54–55. [2] *Id.*, pp. 55–56. [3] *Id.*, p. 74.

governor of the Bermudas and was afterward to serve as an early governor over the infant settlement of Carolina. Sayle first filled the office in Bermuda in 1641; and a second term ran approximately from September, 1643, to February, 1645.[1] When church quarrels vexed the peace of the islands, Sayle and another betook themselves to London to consult with the Somers Island Company and with parliament. Sayle, an Independent, remained there many months. In October, 1645, parliament voted, on a petition handed in by Bermudians headed by Sayle:

> that the inhabitants of the Summer-Islands . . . shall, without any molestation or trouble, have and enjoy the liberty of their consciences, in matters of God's worship, as well in those parts of Amiraca where they now are planted as in all others, parts of Amiraca, where hereafter they may be planted; until this House shall otherwise order.[2]

While looking after the interests of the Bermuda Independents, Sayle also busied himself with pushing his plan for a settlement on the most favored island in the Bahama group. With Gardyner thousands of miles away, and in view of the importance and prestige of the Bermudian, it is little cause for surprise that the latter should have been successful in his suit. The matter did not go forward speedily, however. Sayle was still in London in the summer of 1647, by which time his prospects for securing a grant were very bright. Early in July, 1647, Sayle was in a position to approach parliament with a clear statement of the nature of the intended corporation which it was to be asked to create. From this broadside, *Articles and Orders, made and agreed upon the 9th Day of July, 1647*, printed in full below, one obtains a clear notion of what the Bermudian and the other adventurers proposed to do on the island of "Eleutheria," their chosen site in the Bahamas. Just a week later, on July 16, it was ordered by the House of Commons, "that the humble petition of Wm. Sayle and Wm. Golding, concerning the business of the Summer-Islands, be referred to the committee to whom the consideration of the business concerning the Earl of Carlisle, in reference to the Barbado-Islands, was referred."[3]

Commenting on this entry in the Commons *Journal*, Stock observes: "The nature of this petition is not disclosed."[4] But inasmuch as the first object of Sayle's mission to England had already been accomplished, there can be no doubt that the petition here referred to must have been concerned with the affair of the Bahama Islands. It may be pointed out that Stock did not know of the existence of the *Articles and Orders* when he

[1] John H. Lefroy, *Memorials of the Discovery and Early Settlement of the Bermudas or Somers Islands*, 1515–1685, I. 548.

[2] Leo F. Stock, *Proceedings and Debates of the British Parliaments Respecting North America*, I. 169–170. [3] *Id.*, p. 196. [4] *Id.*, p. 196 *n.*

made the statement just excepted to. The lost petition was probably identical in content with the *Articles and Orders*.

Nothing further is disclosed in the Commons *Journal* concerning the fate of the petition at the committee's hands, but there is no reason to suppose that it met with an unfavorable response. A recent historian of the Bermudas is satisfied that Sayle received his coveted charter. In any event, the former governor returned to Bermuda in October, 1647, and, with another, purchased a ship to take seventy Independents to Eleuthera, the new home of soul liberty and toleration amid the coral banks and sand dunes of the southern seas.[1] The tragic sequel of the enterprise may be followed in the pages of Lefroy and Wilkinson.

The text of the *Articles and Orders* that is printed here is taken from a photostatic copy of the original in the British Museum.[2] The original is in the form of a large broadside, printed on one side only. The paper has been creased in a few places so that it is not in every case easy to see the lettering, but there are no fundamental uncertainties about the text. The primary function of this broadside was to advertise Eleuthera in London circles, where it was doubtless hoped that legislative backing, financial support, and enlistment of personnel could be procured. It is an unusual feature of this piece of promotion literature that its unknown author so stringently confined himself to outlining the proposed institutions and social attitudes with which the plantation was to identify itself. He refrained from emitting the conventional lush and lyrical descriptions of the islands to be settled, thus exhibiting a self-denial as rare among advertising agents of the seventeenth century as it is among their spiritual descendants in the twentieth.

ARTICLES AND ORDERS, made and agreed upon the 9th Day of July, 1647. / and in the three and twentieth Year of the Raign of our Soveraign Lord Charles, / by the Grace of God, King of *England*, *Scotland*, *France*, and *Ireland;* Defender of the Faith, &c. / By the Company of Adventurers for the Plantation of the Islands of Eleutheria, formerly called Buhama in / America, and the adjacent *Islands* to be observed and performed by all and singular Adventurers, to / Planters and dwellers upon, and all *Resiants* at the same Islands. /

WHEREAS experience hath shewed us the great inconveniencies that have happened, both in this Kingdom of *England*, and other places, by a rigid imposing upon all an uniformity and conformity in matters of judgement and practice in the things of Religion, whereby divisions have been made, factions fomented, persecutions induced, and the publick peace endangered. And for that we well know, that in this state of darkness and imperfection, we know but in part, That

[1] Henry Wilkinson, *The Adventurers of Bermuda*, pp. 285, 287.

[2] I am obliged to Miss Mary Isabel Fry, of the staff of the Huntington Library, for the careful collation of this text with the photostatic copy.

there are both babes and strongmen in *Christ:* And that every Member who holds the head, and is of the body of *Jesus Christ*, hath not the same place and office, nor the same measure of light, who yet desire and endeavour daily to increase in knowledge. And in the mean time walk according to what they have received, in all godliness, justice & sobriety. And whereas experience hath also shewed us, That the peace and happy progress of all Plantations, doth much depend upon the good government thereof, the equal distribution of justice, and respect to all persons, without faction or distinction, the certain knowledg and manifestation of every ones right and proprieties, and carefull provisions for common defence and safety.

It is therefore ordered, That all such person and persons, who are so as aforesaid qualified, shall be received and accepted as Members of the said Company of *Adventurers*, and into the said *Plantation*, notwithstanding any other difference of judgement, under whatsoever other names conveyed, walking with justice and sobriety, in their particular conversations, and living peaceably and quietly as Members of the Re-publick.

That there shall be no names of distinction or reproach, as *Independent, Antinomian, Anabaptist*, or any other cast upon any such for their difference in judgement, neither yet shall any person or persons, assume or acknowledge any such distinguishing names, under the penalty of being accompted (in both cases, either of imposing or accepting or assuming any such name or names) as enemies of the publick peace: nor shall any man speak reproachfully of any person for his opinion, or of the opinion it self, otherwise then in the *Scripture* Language.

That no Magistracie or Officers of the Republike, nor any power derived from them, shall take notice of any man for his difference in judgement in matter of Religion, or have cognizance of any cause whatsoever of that nature: But that their jurisdiction shall reach onely to men as men, and shall take care that justice, peace, and sobriety, may be maintained among them. And that the flourishing state of the re-publick may be by all just meanes promoted.

That the present Adventurers, and all other persons, who within the space of one year now next ensuing, shall bring into the publick stock, the sum of 100*l* shall be admitted and reckoned into the number of the first *Adventurers*, their number not exceeding one hundred persons.

That every one of the number of the first *Adventurers*, shall have three hundred Acres of Land, laid out for him and his Heires for ever, in the first convenient place which shall be chosen, by those persons of the number of first *Adventurers*, who go to the said *Plantation*, in the present expedition and shipping. And that the said quantity of three hundred Acres for each first *Adventurer;* shall at the end of the first three yeares, or sooner, if the major part of the said number or Company of first *Adventurers* shall require the same, shall be divided and set out by lot, unto every particular person. And that in the mean time, all the same Land shall be imployed and improved for the joynt advantage of the said Company. And that for the further and better encouragement of the said first *Adventurers*, every one of the said Company of first *Adventurers* shall have two thousand Acres more of Land, to be laid out for him and his Heires for ever, in such place or places as shall be most convenient and satisfactory unto him, and least prejudicial or disadvan-

tagious to the publick. And that this shall be effected with as much convenient speed, as the occasions of the Plantation will permit. And that all the adjacent Islands shall be reserved to, and laid out and had for the use of the said Company of first Adventurers.

That as well every one of the *Adventurers* aforesaid, as also every other person, who shall at any time or times, within three yeares transport, at his own charge, unto the said *Plantation*, any person or persons, shall have and enjoy to him the said Transporter and his Heires for ever, the quantity of thirty five Acres of Land *per* person, for every person which he shall so transport; the same Land to be set out and appointed for him, by such as shall be hereafter authorized for that purpose by the first *Adventurers* upon the place. And that if any Servants or Children, or other persons who shal be shipped to be transported to the said *Plantation*, shall after their shipping miscarry, or die by the way: yet nevertheless, the person at whose charge any such miscarrying or dying person, Child or Servant, was shipped shall have and enjoy to him and his Heires for ever in the said *Plantation*, and to be set out and appointed as aforesaid, the quantity of thirty five Acres for or in respect of each one person so dying or miscarrying, in as ample manner, as if he had been safely transported, and come into the said *Plantation*. And that every other person and persons, that shall adventure, after three yeares shall have five and twenty Acres.

That every Servant being a *Christian*, which shall be transported to the said *Plantation*, and shall serve out his time agreed upon, to the use of him who transported him, or of his Assignes, shall at the end of his said time of service, have and injoy to him the said Servant and his Heires for ever, the quantity of twenty and five Acres of Land, to be allowed and set out for him by such as shall be authorized by the Governour and Councel. And for the better fortifying of the said *Plantations*, and for the encouragement of the first *Adventurers* in a work of that hazard; and also for the exciting and awakeing the industry of all: It is further ordered and agreed;

That whatsoever Ordinance can be recovered of any wraks, shall be wholly imployed for the use of the publick, and serve for the fortification of the *Plantation*.

That all other wraks which shall be recovered upon, or near the Islands, or upon or near any the adjacent Islands: And also all Mynes of Gold, Silver, Copper, Brasse or Lead, Ambergreise, salt; and all rich woods, either for tincture or medicament, which shal be had or found upon or neer the Islands or territories aforesaid, in any Land not divided, or set over to any particular proprietor, shall be delivered into the Custody of two such persons, Merchants or Agents for the said Company, as shall be yearly chosen by the said Company for that purpose, and the same Mines, Wracks, Ambergreise, Metalles, Salts, and Woods, shall be by the said two Agents, made fit for sale, and be by them with all convenient speed, sold for the best price and advantage, and the whole price and value thereof (the Charges and wages for the procuring and fitting of them for sale, being first deducted and discharged) shall be divided into three equal parts and shares; and the first of the same three parts, shall be unto him or them, who shall be the undertaker or finder thereof: the second part shall be paid and distributed unto, and

among the first *Adventurers*, their Heires, Executors and assignes, equally: and the other third part shall be paid and delivered into the publick Treasury of the said *Plantation*, to be imployed and laid out for the use of the publick, by order and warrant from the Governor and Councel there, for the time being. But if the same shall be found in any of the Lands appropriated, the first third part shall be to the owner or proprietor of the same Lands, and the other two thirds as aforesaid: That when the Plantation shall sufficiently be fortifyed, and all necessary publick works finished, and the generall Magazines sufficiently stored, then what shall be spared of the publick third in the wracks and Commodities aforesaid, shall be imployed in works of mercy and charity, and for the transporting from *England* and other places such godly people as shall be willing to go unto the said *Plan*[*tatio*]*ns*, and are not able to beare the charge of their transportation and setling there.

That no person shall pretend unto, or claim any Wracks, Mynes, Ambergreise, Salt, or rich woods, as aforesaid; for, or by reason of their growing, or being in or upon his lot or share of ground, which shall be appointed to him as above said; but all the said particulars shall be disposed and imployed, as before is expressed. That none of the said rich Woods growing upon Lands not appropriated, shall be cut down by any person, but by warrant first had and obtained from the *Governor* and *Councel* for that purpose; and if any shall do otherwise, then he that shall cut, or cause to be cut, any of the said Woods without such warrant, shall loose and forfeit all that share which he might under any qualification whatsoever, pretend unto in the said Woods; and the same forfeiture shall be to the use of the said *Colonie*. That if any places shall appear fit for making salt, which yet makes it not naturally, then the salt-works shall be perfected at the publick charge, and the provenue thereof to come into the publick Treasury, and be imployed for ever for the publick service, as aforesaid. That no Inhabitant of these *Plantations*, shall in their converse with any of the *Natives* of any of those parts, offer them any wrong, violence, or incivility whatsoever; but shall deal with them with all justice and sweetness, so far as may stand with their own safety, thereby to work in them a good opinion of love, unto the wayes and knowledg of God, which every one shall endeavour to hold forth, and communicate unto them in the best manner that they can. And whereas the Company is informed, that there are some *Indians* have been taken and sold at some of the *Caribe* Islands: It is therefore agreed and ordered, that the *Indians* shall be sought out and redeemed: And after they have some time continued in those *Plantations*, for their instructions, and make them sensible of the benefit. They shall be then returned to the places from which they were taken, that every *Planter* shall himself provide Arms and Ammunition sufficient, for his own persons (going to the said *Plantations*) and for every Male that he shall transport thither, who is or shall be from time to time able to bear Arms, and that such adventurer shall not have his share of Land set out unto him for any Male person, unless he be as aforesaid, provided of sufficient Arms and Ammunition for them. That all in the said *Plantations* from the age of sixteen to sixty years, shall be ready to come to the several Randevous appointed them, upon any Alarm, ready and armed for the defence of the *Plantations;* That none shall be

compelled to take Arms, or go to war out of the *Countrey* unless it be for the necessary defence thereof, and to expel or divert an eminent invasion, neither shall any be suffered to take any depredations or invasions upon any, either by Sea or Land, unless upon a War first begun by them and open War by the said *Plantations*, first denounced against them. That the Government of the said *Islands* and *Plantations*, shall be continued in a Senate of the number of one hundred persons; and that the Company of the first Adventurers aforesaid, shall at present be the same Senate. And whensoever any of them shall die or sell away his Interest in the said *Plantations;* then there shall be another elected in his roome from time to time, by the Major part of the said Senate, out of the other *Adventurers* and *Planters* Resiant in the said Islands. And the same election shall be made in this manner, (*viz.*) First, 20 fit persons shall be nominated. Then those 20 reduced to the number of 4, by scrutiny, and out of those 4 one to be chosen by Ballotines. And so from time to time, as often as any Member of the said Senate, shall decease or shall allien or discontinue his interest in the said *Plantations*, or shall be amoved by the said Senate, upon just cause or complaint. And that the same Senate shall from time to time make election o[f] all Officers, for doing of justice, and distribution and setting out of Lands, and for the care and over-sight of all publick works, and shall have the ordering and disposing of all publick monies. That after the first three yeares expired, there shall be yearely a *Governor* and 12 *Councellers* chosen out of the said number, of 100 Senators, who shall take the daily care of all things necessary for the prosperity of the *Plantation;* and that it in nothing suffer detriment or decay. And that the publick peace be maintained between man and man, and speedy justice done unto every man that shall seek it at their hands. And that the said *Governor* and *Councel*, shall have power to call together upon any emergency, to the said Senate or so many of them, as shall then be upon the said Islands, and to act and execute what shall be by the said convention of Senators, ordered and referred, or committed unto them. That the first Governor and Councel shall be elected by the first *Adventurers* in *England*, when the number of *Adventurers* who will transport themselves is once known. And that the same first *Governor* and *Councel* shall continue in their Office three whole yeares from the first day of their arrival at the said Islands or Plantation. That all succeeding *Governors* and *Councel* shall after the aforementioned term expired, be yearly chosen on the first *Tuesday* in *December*, for one whole year to come, beginning the first day of *January* following, by all the free-men of the said *Plantations*, by way of scrutiny and *Ballotines*, in such manner as is before expressed. That every person that shall transport himself to the said *Plantations*, or desire to become a Member of the same *Plantation*, shall before his admittance thereunto, acknowledge his allowance, and consent unto all and every one of these *Articles;* and by subscribing the same, bind himself to conformity thereunto for the future. And this to be done before he be admitted into the said Company, and before he hath any share or proportion of Land set out and assigned to him according to these *Articles*.

FINIS.

One does not have to read far in this text to learn that the man who supplied the ideas composing it was a fresh and powerfully original thinker, not only abreast of the highest aspirations of his age, but, indeed, well to the fore of them. There is in this broadside a manifesto and a programme looking to the establishment of a model state. Rightfully did the man behind this project select for his proposed settlement the name Eleuthera, which is nothing but an English adaptation of ἐλευθερία, the Greek for "liberty." This latest creation among English plantations was to be a haven and refuge of liberty in America—liberty in worship, liberty in government, and, though the document itself discreetly makes no mention of this radical position, liberty in trade. Accepting it as an axiom that Old England cherished and conserved too many stand-pat interests to permit the construction of a society such as he would at home gladly have shaped closer to his heart's desire, the thinker behind this programme turned his gaze westward and pitched upon a vacant area on the American frontier of the day where, he hoped, he could plan and construct a social order considerably in advance of what then obtained at home. The mid-seventeenth century is rich in documents voicing sentiments favoring liberty and progressive ideals.[1] Brief though this piece is, it yet manages to pack into small compass such a wealth of high-minded aspiration and purpose that one may not readily dismiss it as negligible. The editor intends at an early opportunity to treat it in fuller fashion against its historical background.

Mr. Harold R. Shurtleff spoke on "The Restoration of Colonial Williamsburg."

[1] A useful short introduction is Arthur S. P. Woodhouse, "Milton, Puritanism, and Liberty," *University of Toronto Quarterly*, IV. 483–513.

April Meeting, 1934

A STATED MEETING of the Society was held, at the invitation of Mr. ALFRED MARSTON TOZZER, at No. 7 Bryant Street, Cambridge, on Thursday, April 26, 1934, at half after eight o'clock in the evening, the President, SAMUEL ELIOT MORISON, in the chair.

The records of the last Stated Meeting were read and approved.

The Corresponding Secretary announced the death of HAROLD MURDOCK, a Resident Member, on April 5, 1934.

The Corresponding Secretary reported that letters had been received from Mr. HERMANN FREDERICK CLARKE, Mr. ALBERT HARRISON HALL, and Mr. CLARENCE ELDON WALTON accepting Resident Membership in the Society.

The President appointed the following committees, in anticipation of the Annual Meeting:

To nominate candidates for the several offices,—Messrs. KENNETH BALLARD MURDOCK, GEORGE RICHARDS MINOT, and RICHARD AMMI CUTTER.

To examine the Treasurer's accounts,—Messrs. GEORGE POMEROY ANDERSON and NATHANIEL THAYER KIDDER.

Mr. ALFRED VINCENT KIDDER, of Andover, was elected a Resident Member of the Society.

Mr. LAWRENCE C. WROTH read a paper entitled:

John Maylem: Poet and Warrior[1]

I

JOHN MAYLEM, of Newport, was a poet of small talent and a warrior of little distinction. But so strongly was he possessed by love of poetry and love of war that if we are to remember him at all it seems only fair it should be in terms of the lyre and the sword. After all, it is

[1] In addition to indebtedness for aid specifically acknowledged in the notes, the author wishes to express his thanks to the Library Company of Philadelphia, and to its librarian, Mr. Austin K. Gray, for many courtesies, culminating in permission to reproduce here the Maylem manuscript poems and letters in the Du Simitière Papers (see note 2, p. 94). Most of this material is now printed for the first time.

something to have fought for one's country, and, throughout, to have conceived its battles as the stuff of epic verse.

It is necessary at the beginning of this story to remove a persistent misapprehension regarding the identity of John Maylem, the author of *Gallic Perfidy* and *The Conquest of Louisbourg*, to make it clear, in brief, that he was himself and not his father of the same name. It is affirmed in more than one work of standard reference that the poet was a graduate of Harvard of the Class of 1715 and that he died in the year 1742. These assertions have brought about confusion in the record of one who is chiefly remembered for two poems celebrating events of the years 1757 and 1758. The poet was, in fact, the son, namesake, and youngest child of John Maylem, the Harvard graduate. He was born in 1739, and disappeared from record in 1762 at the age of twenty-three years.[1]

It may not be regarded as too great an assumption to suggest that the family of the poet descended from the John Mylom, or Mylam, cooper, whose name early appears upon the list of Boston freeholders, and who, with Christian, his wife, was admitted into church-membership in 1635.[2] The poet was the grandson of the Joseph Maylem, bricklayer, who died in Boston early in the year 1733, possessed of a respectable estate in houses and lots in that town and in the township of Nottingham, New Hampshire, a neighborhood with which he was also associated through the circumstances of his second marriage.[3] This citizen, I believe, was the Joseph

[1] Statements concerning Maylem, incorrect in one or both of these particulars, are found in Samuel Kettell, *Specimens of American Poetry*, I. 83; E. A. and G. L. Duyckinck, *Cyclopaedia of American Literature*, I. 432; Moses Coit Tyler, *A History of American Literature*, II. 53–54, in which the poet is confused with his father, but the inconsistency concerning his death in 1742 is pointed out; John C. Stockbridge, *A Catalogue of the Harris Collection of American Poetry*, p. 167; Charles E. Hammett, *A Contribution to the Bibliography and Literature of Newport, R. I.*, p. 92; S. A. Allibone, *Critical Dictionary of English Literature*, II. 1255; Charles Evans, *American Bibliography*, III, Index of Authors. So far as I know, the first writer to point out the inconsistency in full was the late Sidney Rider, in a severe review of Hammett's *Bibliography of Newport*, published in his *Book Notes*, II (Providence, R. I., January 7, 1888). I should like to acknowledge in this note my indebtedness in the preparation of the present study to Mr. Rider, in whose miscellaneous collections in the John Hay Library of Brown University I found (Box 245, No. 8) notes and transcripts that opened the way to the main lines of inquiry pursued in my investigation.

[2] Justin Winsor, *Memorial History of Boston*, I. 560, 570; II. xii.

[3] See the will of Joseph Maylem, dated August 13, 1730, in the Suffolk County Probate Court Records, Case No. 6378. Our *Publications*, XIV. 405, locates one of his lots in Boston next door to that upon which was built the Huguenot Church. This lot was left by the above-mentioned will to his son Mark. Joseph Maylem's will was allowed February 13, 1733. The *Boston Weekly News-Letter* for Thursday, February 1, 1733, contains a notice which reads: "On Monday Evening [i.e. January 29, 1733] died at his House in School-Street, Mr. Joseph Maylem, who laboured under great bodily Indisposition and Pain for a long Time, in the 74th year of his age." Samuel G. Drake, *History*

Maylem whom Judge Sewall, anything but amused at the memory, portrayed in his diary in the act of leading a Shrove Tuesday mummery on February 15, 1686/87. "Jos. Maylem," wrote the Recording Angel of Boston, "carries a Cock at his back, with a Bell in 's hand, in the Main Street; several follow him blindfold, and under pretence of striking him or 's cock, with great cart-whips strike passengers, and make great disturbance." [1] Though this portrait does not manifest quite the degree of dignity we demand of ancestors, it is a pleasant picture just the same, its subject caught off guard in a moment of liveliness and fun. It may be, moreover, that this was Joseph's last appearance as leader of the revels, for on the thirty-first of the eighth month, 1688, he was married in the First Church of Charlestown to Hannah, daughter of the Widow King of that place.[2] Certainly, when he wrote his will a good many years later, he showed himself a staid character and a severe father to one of his three sons. After the death of Hannah (King) Maylem, who was, I believe, the mother of his children, Joseph, in 1715, took another wife in the person of Keziah Brackett, a native of Rye, New Hampshire, who remembered the experience of having been carried off in an Indian raid upon her father's house in 1691, and ransomed only after four years of captivity, most of them, probably, spent in Quebec.[3] John Maylem, the poet, recalling what he had been told of this far-off experience of his step-grandmother, must have thought sometimes in the course of his own arduous captivity among the Indians, some sixty-two years later, that history was repeating itself just a bit too consistently in the annals of the Maylem family. Keziah, the widow of Joseph Maylem, and, it is said, of an earlier husband named Patterson, died childless, or certainly with no surviving child, three days after March 3, 1733, the date of her will.[4] She must have felt assured that she had performed well the task of mothering another woman's children when, in the closing years of her life, her stepson John, of Harvard, gave her names to two of his own infants, calling a son Brackett and a daughter

and Antiquities of Boston, p. 592 *n*, suggests that Joseph was the son of the John Mylom referred to in the text above as having been admitted into church membership in 1635 The relationship is probable, but not certain.

[1] 5 *Coll. Mass. Hist. Soc.*, v. 167.

[2] "Record Book of First Church in Charlestown," *New England Historical and Genealogical Register*, xxix. 71.

[3] Emma L. Coleman, *New England Captives Carried to Canada between* 1677 *and* 1760, I. 74, 209, 212. See also Herbert I. Brackett, *Brackett Genealogy*, p. 122.

[4] Suffolk County Probate Court Records, xxxi. 317. See also, for information about Keziah (Brackett) Maylem, Brackett, *Brackett Genealogy*, pp. 71, 122. Keziah Maylem's will was allowed March 20, 1733. The *Boston Weekly News-Letter* for Thursday, March 8, 1733, contains a notice announcing that on "Tuesday last [i.e. March 6, 1733] died here the Widow Maylem, a very discreet and industrious Woman."

Keziah.[1] Upon her death, however, her property went to her sisters and her nieces and nephews. Doubtless she felt that her husband's children had been reasonably provided for through their paternal inheritance.[2]

John Maylem, father of the poet, was born, according to one authority, in the year 1695.[3] He appears in the Harvard catalogues as a member of the Class of 1715, and after 1742 his name regularly carries the star which in the Triennials indicates decease. In the *Boston Weekly News-Letter* for Thursday, March 18–25, 1742, is found the following notice of the death, on March 13 of that year, of an individual whom we assume to have been this John Maylem: "New-Port, March 19. Mr. John Maylem of this Town and late of Boston, died here very suddenly last Saturday morning, and was decently inter'd the Monday following, and left behind him, a sorrowful Widow, three Daughters and one Son." In the *Boston Weekly Post-Boy*, May 24, 1742, there is a notice regarding the settlement of John Maylem's estate which introduces us to an important member of his family in these words: "All . . . that have Demands on the Estate of Mr. John Maylem of New-Port on Rhode Island, deceased, are . . . desired to send an Account . . . to Mrs. Ann Maylem, Widow Relict . . . and Administratrix on said Estate. . . ."[4]

One acquires the impression that the life of this John Maylem, whose death we have just recorded, was undistinguished and something short of successful in the usual meaning of the word. Soon after his graduation from Harvard in 1715, he was married to Ann, a capable and fruitful helpmate whose maiden name, fragmentary evidence seems to suggest, was Dehane.[5] The first of their nine children was born in Newport in 1721.

[1] See note 2, p. 91, below, for the names of the children of John and Ann Maylem.

[2] Joseph Maylem names in his will (note 3, p. 88, above) three sons: Joseph, Mark, and John. The first of these he cut off with the proverbial five shillings, for reasons given. After providing for his widow Keziah by her legal "thirds," he made a scrupulous division of his remaining property, real and personal, between his sons Mark and John. John's inheritance, briefly stated, was a ten-acre lot, No. 17, in Bow Street in the township of Nottingham, New Hampshire, with buildings and improvements thereon; a silver tankard; a great chest with a Dantrick lock on it; the easternmost half of his double house in School Street, Boston; and a piece of land in that city lately purchased from Mr. Peter Luce, both these pieces of real estate to be entailed to the third generation.

[3] This date is given in Charles Evans, *American Bibliography*, III, Index of Authors. It is obviously approximately correct.

[4] For these newspaper references I am indebted to the interest of Mr. Clifford K. Shipton.

[5] In her application for administrative rights upon the estate of her sister, Rachel Greene, Ann Maylem, or an amanuensis, has twice written the name Rachel "Dehane" and then erased it in favor of the married name "Greene." Rhode Island Archives, Records of Governor and Council folder, 1760–1769, and "Petitions Voted Out" folder, June, 1768. Jacob Dehane, of Newport, on one occasion went on John Maylem's bond. Rhode Island Archives, Cases in Equity, Part II, 1743, 35–4, pp. 5–6. In the *Short Narrative* (see facsimile) Ann refers to a bond jointly signed by her husband and "Brother Dehane."

We must assume that the young couple had recently taken up their residence in that town, for a year later one "John Maylem, Gentleman," whom I believe to have been this John, in buying a proprietor's right in Nottingham, New Hampshire, where he was later to inherit land, is still described as of Boston.[1] The four different places named in the record of the births, baptisms, or burials of the children of John and Ann in their family Bible convince one that during the father's lifetime the Maylems led an unsettled existence. We learn from it that, roughly from 1721 to 1729, the family lived in Newport; from 1730 to 1732, in Exeter and in Nottingham, New Hampshire; and from 1733 to 1739, in Boston, whence, we learn from other sources, the wanderers returned in 1739 to Newport for their final place of residence.[2] In a deed by which in 1726 the father

[1] See note 3, p. 92, below.

[2] The Maylem family Bible was first described and its entries published by Dr. Henry E. Turner, its former owner, in the *Rhode Island Historical Magazine*, VI. 50. It is not definitely stated in the Bible that the births recorded there are those of the children of John and Ann Maylem, but the grounds for such an assertion are solid. The Bible contains this inscription: "The gift of Ann Maylem to her daughter, Rachel Denison, May the 6th, 1775." The list of children shows three daughters, Frances, Rachel, and Mary, and a son John, alive in 1742, when in the newspaper notice of the death of John Maylem of Newport three daughters and one son were said to survive him. Furthermore, in the Newport Town Council Records (X. 6), in June, 1743, we find guardianship granted to Ann Maylem, widow of John, for her children Frances, Rachel, Mary, and John. There can be no question that the Bible referred to is the family Bible of John and Ann Maylem. I owe thanks to the late Lloyd M. Mayer, Librarian of the Newport Historical Society, for numerous courtesies in connection with the preparation of this paper, notably for information about the Maylem Bible, and for the several extracts from the Newport Town Council Records, the Newport Administration Bonds, and the Newport Land Evidence Records, which are referred to elsewhere in the notes.

It seems worth while to record here the essential data from the Maylem Bible, as abstracted for me by Mr. Mayer from Dr. Henry E. Turner's manuscript collections.

Children of John and Ann Maylem from the Maylem Bible.

Ann Maylem, born July 22, 1721, Newport; bapt. by Mr. Clap; died Sept. 28, 1721, Newport (Common Burial Ground). The date of death is given as September 5 by Dr. Turner in the *Rhode Island Historical Magazine*, VI. 51.

Mary Maylem, born Feb. 7, 1722/3, Newport; bapt. by Mr. Clap; died Sept. 5, 1727, at Newport (Common Burial Ground).

Francis Maylem, born Oct. 8, 1725, Newport; died (still-born) Oct. 8, 1725 (Common Burial Ground).

Frances Maylem, born March 13, 1726/7, Newport; bapt. by Mr. Clap; died Feb. 4, 1750/1, aged 23 yrs. 10 mos. 22 days.

Brackett Maylem, born May 24, 1728, Newport; bapt. by Mr. Clap; died Aug. 22, 1730, Exeter.

Keziah Maylem, born Dec. 7, 1730, Exeter; bapt. by Mr. Odlin; died Nov. 13, 1731, Exeter.

Rachel Maylem, born Jan. 1, 1733/4, Boston; bapt. by Dr. Sewall; married —— Denison.

Mary Maylem, born Aug. 12, 1737, Boston; bapt. by Mr. Prince.

John Maylem, born April 30, 1739, Boston; bapt. May 6, 1739, by Dr. Sewall.

of the family conveyed lot No. 96 on Easton's Point to Isaac Bowen,[1] he is described as "John Malem, merchant," the only existing indication of status in the years of his first residence in Newport. In the year 1729 we find him engaged in litigation with one John Bolitho, who had endorsed the note of an individual indebted to Maylem for the sum of £100.[2] Soon afterwards, the family removed to Exeter, New Hampshire. Of his life in Exeter and in Nottingham nothing seems to be recorded except the birth of one child and the death of two, and a few evidences of transactions in land in those towns.[3] I have not found, either, any vestiges of the six years' residence in Boston which followed his removal from Exeter, except records of the birth of three children, among them the subject of this study, and the occurrence of an entry reading, "John Maylem, M.A. (3 copies)," in the list of subscribers to Thomas Prince's *Chronological History* of 1736.[4]

In the Rider Collection in the John Hay Library of Brown University, Box 245, No. 8, is the following note: "Extracts by Dr. Turner from Church Records. Frances Maylen married Wm. Gubbins, May 7, 1747. (1st C. Ch.) Rachel Malane married Jabez Dennison, Nov. 17, 1774. (2nd C. Ch.) Mary Maylen married Paul Mumford Feb. 3, 1769 (Trinity Ch.)."

Mary Maylem, who married Paul Mumford, was doubtless the "Molly Maylem" who before her marriage conducted what seems to have been a large and active dry-goods store in Newport. See her numerous advertisements in the *Newport Mercury*, for example that of November 17, 1766, signed "Molly Maylem," and a later one of June 25, 1767, signed "Mary Maylem."

[1] Land Evidence Records, Newport, VII. 124–125.

[2] John Bolitho's petition of June 16, 1729, is found in Petitions to the Rhode Island General Assembly, 1725–1729, I. 60, MS. in Rhode Island Archives.

[3] During this period, 1729–1732, John Maylem, husband of Ann, is three times described as of Nottingham or of Exeter, New Hampshire. The following extracts, covering a period of twenty years, from the New Hampshire Provincial Deeds, at the New Hampshire Historical Society, for which I am indebted to the courtesy of Mr. Otis G. Hammond, indicate a fairly extensive interest on the part of the elder John Maylem in land transactions in New Hampshire and Maine:

1722, May 21, John Maylem of Boston, gentleman, buys a proprietor's right in Nottingham, N. H., from John Russell of Boston.

1729, December 10, John Maylem of Exeter, N. H., sells land in Nottingham to Samuel Little of Newmarket, N. H.; on June 28, 1731, to Israel Folsom of Newmarket.

1731, John Maylem of Nottingham, together with wife Ann, sells land in Nottingham to John Rindge of Portsmouth, N. H.; 1731/2, February 1, to Thomas Bartlett of Newbury, Mass.

1732, August 13, John Maylem of Nottingham buys land in Exeter from Moses Norris of Nottingham.

1741, October 6, John Maylem of Newport, R. I., together with wife Ann, sells land in Falmouth, Me., Exeter, N. H., Sagadahoc, Me., and Nottingham, N. H., to Samuel Lowe of Barrington, Mass.

[4] One of these copies, bearing the inscription, "John Maylem Feb. 12th 1736/37 d[d] to him this day by Mr. Gerrish," was sold as No. 261 in the sale catalogue of *The Library of the late Rev. Dr. Roderick Terry of Newport, Rhode Island*, Part Two, American Art Association–Anderson Galleries, Inc., November 7 and 8, 1934.

A ſhort Narrative of the unjuſt Proceedings of Mr. *George Gardner* of *Newport* Diſtiller, againſt *Ann Maylem* Widow and Adminiſtratrix to the Eſtate of *John Maylem* late of *Newport* Diſtiller Deceaſed.

AS I have been labouring under many difficulties and hardſhips ever ſince the Death of my Husband *John Maylem*, I have thought proper to inform the World how cruelly I have been dealt with by Mr. *George Gardner* of the Town of *Newport* Diſtiller, which is as follows. In the Year 1739, my Husband bought of ſaid *Gardner*, a Lot of Land, Still-Houſe, two Stills, their Heads, Worms, Ciſterns, *&c.* for £1360 giving him at the ſame time his Bond for £370. Brother *Debane* and Mr *Maylem*, gave him alſo a joint Bond for £200 and at the ſame time Mr. *Maylem* Mortgaged the Still-Houſe abovementioned to ſaid *Gardner*, for £900 taking a Bond of Defeazence Obliging him the ſaid *Gardner* to Reconvey to Mr. *Maylem* ſaid Still-Houſe again.

The following is an Account of ſundry Payments made towards ſaid Still-Houſe.

Viz. 1742 To a Bond taken up dated *Nov.* 23*d.* 1739	370	00	00
June 7 To Caſh paid in part of a Bond Sued laſt *Tueſday* of *May* paſt given to *George Gardner* by *Debane* and *Maylem*,	100	00	00
Nov. 19 To ſo much paid by Mr. *Debane* in full of the above Bond and Execution.	118	08	00
	218	08	00
To Caſh paid on Bond *Maylem* to *Gardner*,	181	11	11
To half the Stock in the Still-Houſe at the time of Mr. *Maylems* Deceaſe, being 531 Gallons at 7*ſ.* pr. Gallon,	185	17	00
Omiſſions in the Acc. delivered in to *Geo. Gardner*,	9	15	00
To my Negroe working 8 Days in the Still-Houſe after Mr *Maylem* Died.	4	00	00
	969	11	11

The Day Mr. *Maylem* Died which was the 13*th* of March 1741,2 I ſent to Mr. *Gardner* to Still up the Stock which was then in the Still-Houſe; the Tueſday following *Gardner* ſends *Jonathan Dimon* to me deſiring I would let him have the Bond of Defeazence that he juſt wanted to look at it and that he would ſend it back to me immediately, with a great deal of perſwaſion I let him have it, and thus getting the Streng h out of my Hands he makes uſe of the Stock and all my other intereſt in the Still-Houſe and never Accounts with me for one farthing of the ſame. At the time when I was making up my Accounts for the Town Council Mr. *Gardner* came and deſired I would take the abovementiond Bond of £181 11 11 that it might appear to them as ſo much paid and that he had no other end or View in ſo doing but only to ſerve me he knowing the trouble I was then in, and by his perſwading me ſo to do I was obliged to pay it over again as alſo the above £100 and that thro' the means of *David Richards* who was then my Attorney. *N. B.* the above £370 was paid and Diſcharged in Mr. *Maylems* life time after which Mr. *Gardner* had no the laſt demand on Mr. *Maylem* except [illegible] which he Crowded into my hand in the above Fraudulent manner and after the Diſcharge of the £370 Mr. *Maylem* and Mr. *Gardner* made a Settlement and Mr. *Gardner* being at that time in Debt to Mr. *George Goulding* the Mortgage was then made to ſaid *Goulding* from whom Mr. *Maylem* got the Bond of Defeazence which is the ſame that ſaid *Gardner* ſo unjuſtly withholds from me.

Reproduced from the original (measuring 9⅛ × 12¼)
Owned by the Massachusetts Historical Society

When he returned to Newport in 1739, it seems clear that he intended remaining there, for on May 6 of the next year he was admitted by the Assembly a freeman of Rhode Island.[1] He seems also to have given up at this time his land interests in other colonies, for on October 6, 1741, John Maylem and Ann, his wife, sold to Samuel Lowe, of Barrington, Massachusetts, properties in Falmouth and Sagadahoc, Maine, and in Exeter and Nottingham, New Hampshire.[2] It is probable that these sales were made necessary by the need for capital in his Newport business. It does not seem, however, that, when Maylem died six months later, his final venture in Newport had attained success. In two petitions to the Rhode Island General Assembly, in 1744 and 1748, Ann Maylem recites that her late husband, "John Maylem, Distiller," had been compelled to hire money for the operation of their still-house in Newport; that the sum involved, £800, had come into litigation after his death; and that his estate had been injured as the result of a court decision concerning it. She begged that a retrial of the case be ordered, but the fact that the second of her appeals is found among the "Voted Out" petitions of 1748 in the Rhode Island Archives attests the ill success of her prayer.[3] In the record of this litigation, as so often happens in suits at law, the sharp line of cleavage between right and wrong is hidden from the normal eye by the mists of accountancy and legal procedure. But there exists a clear statement—from the point of view of Mrs. Maylem, certainly—of the events which brought the dispute into being. Late in 1742, or early in 1743, Mrs. Maylem published a broadside in which, with bitter conviction, she set forth to the world her side of the contention. The later history of the case, however, suggests that neither honesty nor depth of feeling on the part of the harassed administratrix was enough to affect favorably the decisions of judges and legislators. There appears here in facsimile this *Short Narrative* of the Widow Maylem, a document of importance in the history of the poet's family.[4]

Other litigation arose in the course of Ann's administration, in which she seemed usually to be the loser. One of the creditors affirmed in a state-

[1] *Records of the Colony of Rhode Island and Providence Plantations*, IV. 571.

[2] See last entry in note 3, page 92, above.

[3] The petition of 1744 is found in Petitions to the Rhode Island General Assembly, 1743–1747, VI. 13; that of 1748, in the "Voted Out" folder for 1748, MSS. in the Rhode Island Archives.

[4] The only known copy of the broadside is in the Massachusetts Historical Society. The probability is that this broadside was issued from the Newport press of the Widow Franklin. Its date seems to be late in 1742 or early in 1743, for in the statement, under June 7, 1742, is a reference to an action of the "last Tuesday of May past." In other words, no month of May had come and gone at the time of writing since the month of May, 1742. By the next entry in the statement it is also made clear that the date of publication was later than November 19, 1742.

ment to the court that the estate of Ann's husband "is suppos'd not sufficient to pay the whole of all his Debts."[1] But in an unpublished poem of 1760, written on his twenty-first birthday,[2] her son, the poet, intimated that he had that day come into a small estate, enough to enable him, he writes,

To live with Comfort, tho' not vainly great.

Unless these words sprang from poetic license, they suggest that the family fortune had not been completely wiped out by the father's death at the beginning of his new venture into the world of business. It may be that the poet had in mind the entailed house and lots in Boston left his father (see note 2, p. 90, above) by Joseph Maylem, his provident grandsire.

We know little more of either John, Sr., or Ann Maylem, though of Ann we have references of one sort and another that indicate her continued residence in Newport and a certain activity in affairs for many years after the death of her husband. In 1743, she was appointed guardian of her children; in 1745, she rendered an account of the administration of her husband's estate; in 1766, she acted as one of the administrators of the estate of her sister, Rachel Greene, of Warren, Rhode Island; and in the next year, probably, she served in a similar capacity in the settlement of the estate of her son-in-law, William Gubbins, mariner, having previously,

[1] Other documents relating to Ann Maylem's various legal troubles in connection with the estates she administered are found in manuscript in the Rhode Island Archives in: Cases in Equity, 1743, VI, Part II, throughout; Record of Equity Court Judgments, October, 1743; Petitions, 1768–1770, XIII. 80; Records of Governor and Council folder, 1760–1769; "Petitions Voted Out" folder, June, 1768. From certain of these records it becomes clear that John Maylem had borrowed heavily from three or four individuals and by his untimely death had left his estate in considerable disorder. The inventory of his goods and chattels (Cases in Equity, 1743, Part II, 35–4, pp. 5–6) shows at the time of his death a comfortable amount of furniture and equipment, appraised at £659, all of which had to be sold for the benefit of his creditors.

[2] "A Poem by John Maylem on his birth day 30th April 1760 being then 21 years of age." A manuscript copy of this unpublished poem is found in the Du Simitière Collection in the Library Company of Philadelphia. All the manuscript poems referred to in this study are taken from the materials under Maylem's name in this same collection. The article on Pierre Eugène Du Simitière in the *Dictionary of American Biography* provides a brief and general view of the life of the Swiss artist who devoted himself from about 1765 until his death in 1784 to the collecting of materials for the natural and civil history of North America which he proposed to write. The later history of these materials, particularly of the collections of papers in the Library Company of Philadelphia and in the Library of Congress, is set out in the excellent bibliography by Victor Hugo Paltsits in volume VI of I. N. Phelps Stokes's *Iconography of Manhattan Island* (pp. 233–235). The writers of both these articles acknowledge indebtedness to the monographic study of Du Simitière by W. J. Potts in the *Pennsylvania Magazine of History and Biography*, XIII (October, 1889). Du Simitière's papers are normally, I believe, fair copies of original materials. Presumably the originals from which these copies were made were afterwards destroyed. The Maylem letters here drawn upon, addressed to several different persons, must have been copied from Maylem's own drafts.

in August, 1766, been appointed guardian of his son Francis, whose mother, Frances Maylem, had died a few weeks after the child's birth in January, 1751.[1] Though John Maylem, the poet, in his birthday verses of 1760 apostrophized Ann Maylem as his "aged parent," she must at that time have been a moderately active old lady. At any rate, as we learn from the gift inscription in the family Bible, she was alive as late as May, 1775, having borne nine children and outlived seven of them, shared the struggles of a restless and unsuccessful husband, and attended to the business of the family to the third generation.

The last entry in the Maylem Bible record of the children born to John and Ann Maylem reads as follows: "Anno 1739, April 30th, on Monday, at 8 in the evening, Born at Boston, our ninth child and third son, named John. Baptized May 6th, by Doctor Sewall."[2] The unpublished poem twice referred to in the foregoing paragraphs enables us to corroborate the exactness of this entry, for it is headed, "A Poem by John Maylem on his birth day 30th April 1760 being then 21 years of age."[3]

II

THERE is no reason to suppose that the boyhood of John Maylem was spent elsewhere than in Newport, where his mother and sisters seem to have resided uninterruptedly after the death, in 1742, of the restless father of the family. We are without records of the poet's boyhood, but there exist certain undated pieces of light verse, soon to be presented here, which may reasonably be regarded as proceeding from that period. The question of his schooling is of some interest because the only eighteenth-century reference to him that I have found in print praises his poetic efforts but bewails his defective education.[4] From the character of the figures of

[1] Newport Town Council Records, x. 6; Account of estate of John Maylem, dec'd, Mrs. Ann Maylem, Admx., June 29, 1745 (Newport Town Council Records, ix. 76); Ann Maylem, widow, et al., administrators on estate of Rachel Greene, late of Newport, April 5, 1766 (Newport Administrators Bonds, ii. 127); Ann Maylem, widow, et al., administrators on estate of William Gubbins, Mariner, dec'd (Newport Administrators Bonds, ii. 209); Francis Gubbins, minor, asked to have his grandmother, Mrs. Ann Maylem, appointed his guardian, August 4, 1766 (Newport Town Council Records, xv. 37). According to the Maylem Bible (see note 2, p. 91, above), Frances (Maylem) Gubbins died February 4, 1750/1.

[2] See note 2, p. 91, above, where the entry of the poet's birth has been given in condensed form. This fuller entry is given as in the text by Dr. Henry E. Turner, in the *Rhode Island Historical Magazine*, vi. 50.

[3] See pp. 110–111, below.

[4] Reference will be made later to the praise of Maylem by Joseph Brown Ladd in 1786. There may be quoted at this point, however, the following comment: "His productions bear every mark of a deficient education; but his genius rose superior to every inconvenience. . . ." Joseph Brown Ladd, *The Poems of Arouet* (Charleston, S. C., 1786), p. 23.

speech and the references in his serious poems, however, one concludes that he must have had some contact with the training in history and the classics commonly given to the boys of his time. It is certain that he did not carry this training further by emulating his father's career at Harvard College, for at barely seventeen years of age, John Maylem, of Newport, describing himself as "farmer," enlisted in the army and for two years pursued a curriculum of a very different sort from that provided at Cambridge. But in one way or another, as schoolboy, farmer, or soldier, he acquired a decent knowledge of the laws of metrical composition and a smattering of the antique lore essential to the poet of his century. Whether a larger measure of formal education would have made him a greater as well as a smoother poet is matter too high for us to exercise ourselves in.

It is with plenty of assurance but with little evidence that I ascribe to the Newport boyhood of John Maylem the two poems now to be quoted—"To Miss Polly Turner" and "An Acrostick." In the second of these the reader is introduced to Katy Malbone, a "Tender gentle tim'rous Maid," who seems to have possessed that combination of positive and negative qualities connoted by the sentimental phrase "sweet sixteen"; and the only Catharine Malbone who fits the conditions of time and place was a girl of "sweet sixteen" in the year 1753, when John Maylem was a boy of fourteen years. Furthermore, and here is evidence of a sort that cannot be weighed, it is a literal truth that in these two poems we have our only pleasant remains of the pen of John Maylem. Never after the grim experiences of his first year of war does he seem to have directed that pen to anything except the epic strain, satire, coarse comedy, or the verse of disillusionment. I hope the readers of these two undated poems agree with me in thinking that they are the poet's witnesses to a boyhood of normal happiness.[1] The first of these playful exercises reads as follows:

To Miss Polly Turner[2]

On playing with her at Bo-peep by throwing up and letting fall the window, (living directly opposite each other).

Acrostic

P aphian Goddess, once again
O pe the window as before
L et me whisper o'er my pain
L anguish, sigh, in am'rous Train
Y ou are the Beauty I adore.

[1] In view of Maylem's later designation of himself as "farmer" at the time of his enlistment, the assumption may be that part of his boyhood days were spent on a farm, but when, where, or whose farm it was does not appear in the record.

[2] In the eighth section of this study is found a list of the unpublished Maylem poems in

T hrow up then the Envious window;
U pon your celestial face
R avish there my fair Melinda
N ight and morning I will Gaze
E ver constant to attend ye
R apt in Love's Ether'al blaze.

There is no doubt that for us the charm of this rather labored little piece lies in the naïveté of its title. In another of the same sort, however, are found in particular measure the qualities of simplicity, playfulness, and spontaneity. It is addressed to Miss Katy Malbone.

An Acrostick by John Maylem

K–ind good natur'd, debonair
A nd in ev'ry virtue rare
T ender gentle tim'rous maid
Y outhful am'rous—but afraid

M ade of all that's soft and airy
A ll that's pretty light and merry
L ight in carriage—light in mien
L ittle pretty flutt'ring Queen
B less me! but I have not writ
O f her beauty sense or Witt
N or her modest free deport—
E xcuse me Miss—your name's too short.

One wonders whether the charming combination of qualities possessed by Miss Malbone was the happiest for her prospects. She reached the age, ripe for that period, of twenty-seven years before her marriage, in 1764, to Mr. Major Fairchild.[1]

A later Newport poet, Joseph Brown Ladd, has left us a sharp criticism of acrostics as a literary diversion in a couplet which reads:

But all agree, this maxim to recite
Who writes acrostics, nothing else can write.[2]

Happily John Maylem outgrew the habit of entertaining himself and his

the Du Simitière Papers in the Library Company of Philadelphia. Miss Polly Turner, "Paphian Goddess," has succeeded in withholding her identity from me.

[1] From the *Annals of Trinity Church, Newport*, by George Champlin Mason (first series), p. 131, it appears that Catharine Malbone was married to Major Fairchild ("Major," a Christian name, not a title) on October 28, 1764. A note informs us that Catharine was the daughter of Godfrey and Catharine Malbone, and was born October 21, 1737. She was thus a sister of John Malbone, father of Edward Greene Malbone, the artist.

[2] See note 4, p. 95, above.

friends with acrostics, or else his case gives the lie to Ladd's assertion, for it is certainly true that he could and did write other things.

For reasons that are difficult to define, one is inclined to believe that the lines on Newport, here printed for the first time, also proceed from the boyhood years of John Maylem, even though they are notable for a satirical spirit the reverse of subtle which marks and mars so much of his later work. This satire on the Rhode Island town seems to have been composed as a species of dialogue; the last and rhyming words of most of its lines are terse and rude monosyllabic comments by an interlocutor upon the statement contained in the forepart of the line.

Description of the Town of New Port Rhode Island
by John Maylem a native of it[1]

A Town laid out ten furlongs—good
With houses like the people—wood
Save here and there an Edifice
of Brick and Stone and Mortar. yes.
a Goodly Church of Cedar So!
Two Presbyterian meetings poh!
a Quaker house with Stables ah!
Two anabaptists ditto la!
a Dancing School and Town house hie!
a Synagogue of Satan fie!
a Castle too, a building where?
G–d d—n you Sir! why in the air.
A Gallows too without the City
to hang all rogues but theirs, o Pity!

One would not say that these lines indicate great satisfaction on the part of Maylem with the town in which his boyhood was spent, but as the story progresses it will be seen that none of the towns in which he lived gave him happiness. Though he changed his skies more than once, he was never able to change the bitter heart within him.

There once existed another poem by John Maylem, more elaborate than these which have been quoted, which belongs to the poet's boyhood. *The Conquest of Beauséjour*, written by him at the age of sixteen, celebrates the victory in Acadia of colonels Monckton and Winslow in June, 1755. Unfortunately this poem has been lost to us. No copy of it is known to exist, nor is it known in what form it attained publication.[2]

[1] This poem, like the other known unpublished writings of Maylem, is from the Du Simitière Papers.

[2] See No. 1 in the list of Maylem's published works, p. 117, below.

III

THE poem mentioned at the conclusion of the preceding section, *The Conquest of Beauséjour*, is significant in that it points the way to the two interests which were to fill the remainder of Maylem's life. The French and Indian War, covering roughly the years 1754 to 1763, began in his fifteenth year and was still in progress at the time of his disappearance from record in 1762. His earliest part in it was to sing in the poem on Beauséjour its first strategic victory; but singing of battles did not entirely relieve the patriotic emotion in young Maylem's breast. A year later, 1756, he took himself to Boston and enlisted for active service. In a descriptive list, dated Fort Edward, July 26, 1756, of Captain John Stebbing's company in the regiment of Colonel Timothy Ruggles is found the name of "John Mailem," of Newport, with his designation as quartermaster, and his description as a native of Boston, seventeen years of age, and a farmer by occupation.[1] On various muster rolls of companies in the Crown Point expedition of 1756 and 1757, he is found listed at different times as quartermaster, private, and ensign.[2] In the return of officers of Colonel Joseph Frye's Massachusetts regiment present at the capitulation of Fort William Henry on August 9, 1757, is the name of "Ensign John Maylem."[3] In a petition of April 28, 1758, for two months' advance pay, presented by nineteen captains of companies fitting out for the Canada expedition, appears again the name of "John Maylem."[4] The occurrence of his name in this petition is the only official record of his promotion to the rank of captain and the only documentary evidence we have that he went upon, or intended going upon, the Louisbourg expedition. Four years later his name was to be found among the Rhode Island soldiers enlisted for the campaign of 1762. With that enlistment our knowledge of him comes to an end.

This is a brief statement of John Maylem's career in arms. To a small extent it is possible to fill in the blank spaces of his military record with details of a vital nature, for he has left in verse the story of his actual experience in one of the campaigns of the war, and has described another from what was probably the standpoint of personal observation. It was his fate to be an officer of that defeated garrison which one memorable August morning marched through the gateway of Fort William Henry straight

[1] Massachusetts Archives, French and Indian War Records. For this and other references to the main facts of Maylem's military career, taken from the Massachusetts Archives, I am indebted to the courtesy of Mr. Albert Harrison Hall, State Archivist, and Miss Marie J. Hession, Principal Archives Assistant.

[2] *Id.* [3] *Id.*

[4] Massachusetts Archives, Military Series, LXXVII. 578

into the ambush prepared for it by Montcalm's Indians. The story of that fearful onslaught, of his own capture and escape from the general massacre, his sufferings on the march to Canada, his captivity at Montreal, his ransom from the Indians, and his eventual exchange form the matter of the best-remembered of his poems. *Gallic Perfidy, by John Maylem, Philo-Bellum*, published by Benjamin Mecom, of Boston, in 1758,[1] is a narrative in blank verse surcharged with anger, bitterness, and the desire for revenge upon what the author believed had been an act of black treachery by the French commander. Its opening lines are an earnest of the anger and hatred with which it is filled. It is in keeping with the whole piece that in these lines the author adjures the Furies rather than the sacred Nine to inspire his song:

I Who, of late, in Epic Strains essay'd,
*And sung the Hero on Acadie's Plains,
Dreadful in Arms, and Vest of Tyrian Hue,
With Laurel-Wreath, and mighty Conquest crown'd
In equal Numbers still attempt to sing;
But yet in rougher Strain, for softer Rhyme
Seems not adapt to this my solemn Theme.
Not how the Gaul and swarthy Foe approach'd,
And first assail'd the Fortress; nor what pass'd
In the dread Interval of eight Days Siege:
I mean to sing but Breach of plighted Faith,
And Violation of the sacred Laws
Of Nature and of Nations; with th' Event,
The dire Event and fatal Consequence,
Attendant on the Foes perfidious Breach
Of solemn and capitulated Terms.

Amazing Perfidy! . . . .
. . . Not to invoke
A vulgar Muse. —Ye Powers of Fury lend
Some mighty Phrensy to enrage my Breast
With solemn Song, beyond all Nature's Strain!
For such the Scene of which I mean to sing.
Enough! I rave! —the Furies rack my Brain!
I feel their Influence now inspire my Song!
My lab'ring Muse swells with the raving God!
I feel him here! my Head turns round! 'twill burst!
So have I seen a Bomb, with livid Train,

* The Conquest of Beau-se-jour, by Colonels Moncton [*sic*] and Winslow, in 1755.

[1] For bibliographical description, see No. 2 in the list of Maylem's published works, p. 117, below.

GALLIC PERFIDY: A Poem.

By John Maylem } *Philo-Bellum.*

BOSTON: NEW-ENGLAND:
Printed and Sold by *Benjamin Mecom*, at The New Printing-Office, *July* 13. 1758. ---- Where may be had that *noted* little Book, called *Father* ABRAHAM's SPEECH.

For description, see No. 2 of the appended Bibliography

(Emitted from a Mortar) big with Death,
And fraught, full fraught with Hell's Combustibles,
Lay dreadful on the Ground; then with a Force
Stupendous, shiver in a thousand Atoms!

Turning to the conclusion of the poem, we read the young soldier's promise that if given a command, he would himself, despite his youth, track and destroy the savage enemy:

O Chief in War! of all (young) Albion's Force,
Invest me only with SUFFICIENT Power;
I (yet a Boy) will play the Man, and chase
The wily Savage from his secret Haunts;
Not Alpine Mounts shall thwart my rapid Course;
I'll scale the Craggs, then, with impetuous Speed,
Rush down the Steep, and scow'r along the Vale;
Then on the Sea-Shore halt; and last, explore
The green Meanders of eternal Wood!

There is little detail found in *Gallic Perfidy* for the comfort of the military historian. It is too subjective a piece for that use. Nor are its merits as verse sufficient to give immortality to its lines. But it is a moving piece of writing, a clear, downright, and vivid expression of feeling by one who in his own person had suffered the shock and bodily pains of that tragedy in the wilderness south of Lake George. It is a speaking witness to the emotions of those who had parts in the play.

The poem is dated March 10, 1758, some seven months after the disaster which formed its theme.

IV

THROUGH an unexpected set of occurrences, it becomes possible to add detail of a most interesting character to John Maylem's story of his captivity. In order to do this we must advance abruptly in time to the year 1869. In the pages of the magazine *Notes and Queries* (4th Series, IV, August 7, 1869, pp. 114–115) appears this romantic communication:

Descendants of Lieutenant WADE *and Ensign* MAYLEM.

Je crois être agréable à vos lecteurs, en leur faisant part d'un trait d'humanité bien naturel aux grandes âmes, mais encore assez rare de nos jours, de la part d'un aïeul d'un de mes compatriotes, habitant comme moi la ville de Tours.

Jean-François de Martel, actuellement inspecteur des domaines à Tours, serait heureux de savoir s'il existe en Angleterre des descendants des deux officiers dont il est question dans ce récit.

Votre estimable feuille, en publiant cette lettre dont je n'ai voulu rien changer quant au fond ni à la forme, et qui est une pièce authentique, fera un grand plaisir aux descendants de Jean-Baptiste-Grégoire Martel le bienfaiteur, et je n'en doute pas aux officiers Simon Wade et John Maylem qui ont reçu le bienfait.

D'ORANGE.

Le Conservateur de la Bibliothèque de Tours.

Tours, ce 22 juillet 1869.

"*To all Land and Sea Officers, Civil and Military, and all People of the English Nation,* GREETING.

"It is with the greatest pleasure and satisfaction we write this memorial, which, from the deep sense we have of the obligations we lay under to Monsieur Martel, induces us in point of gratitude to pay our sincere acknowledgements for the many favours received from him and family; the occasion of which, in as few words as possible, we shall relate:—

"Doubtless, Gentlemen, you have had intelligence of the transactions upon the surrender of Fort William Henry on Lake Huron [*sic*]. We were two of those whose fate it was to fall into the hands of the savages, contrary to the articles of capitulation, wherein we were to march off with all the honours of war, under an escort of a large body of French regulars, to Fort Edward; but they being under no command, we were hurried off by them and brought prisoners to Montreal, and kept by them without the city upon the green for the space of two or three days. During which time Monsieur Martel, with indefatigable labour, applied himself very closely to procure our redemption, sticking at no pains where he had any glimpse or prospect of procuring our releasement; and even interested himself so far in the affair as often to endanger himself, with no other view, as we have since found, than purely to regain us our liberty; which we [*sic*] had no sooner accomplished, but his lady in a sedan [*sic*] he conducted us to his house, where we were in the best manner clothed and entertained to the extent of everything the place could afford, until he procured us a room, and provided for us in a very decent and genteel manner, giving us daily instances of his favours, limited not to us only but extended to all the other officers that were before and afterwards taken in the same manner as ourselves. Nor did his generosity rest until even the meanest soldier had sensibly felt the liberal dealings of his hands.

"From all which, with a variety of other instances of his kindness we could mention, would earnestly recommend it to you gentlemen, if it ever should be his or any of his family's fate through chance or the fortune of war, to be in our condition, you would treat him in such a manner as might give them occasion to speak in the same language of us as we do with pleasure now of them.

"We are sure no true Englishman, who by nature are [*sic*] heroic and generous, would misuse a prisoner because he was so unlucky as to fall into his hands, and certainly a gentleman by nature—a foe to our country—whose generosity has laid us under such infinite obligations to him, can never meet with too much civility and respect.

No 17

THE

Conqueſt of *LOUISBOURG:*

A POEM.

By JOHN MAYLEM, *Philo-Bellum.*

BOSTON, N. E.

Printed in the Year. 1758.

For description, see No. 5 of the appended Bibliography
(Reduced; size of original 5 7/16 × 6 7/8)

"But not to enlarge, as what we have said is hearty and sincere, conclude,

"Gentlemen,

"Yr most Obedient Servants,

"Simon Wade, *Lieutenant*

"John Maylem, *Ensign*

"*Monsieur* Martel

"*Montreal, August* 25, 1757.

"Thomas Shaw,

"*Captn in the*

"*New Jersey Regiment*" [1]

So far as later issues of *Notes and Queries* show, M. Martel's attempt to get in touch with the descendants of the two Americans to whom his ancestor had been benefactor was entirely in vain, but we are grateful to him for indulging the sentimental impulse which brought to view and record this knightly episode in the midst of a cruel war.

V

FIRST called upon to rejoice over the conquest of Beauséjour, then to mourn the tragedy of Fort William Henry, Maylem's muse was not to be denied another pæan of victory. In July, 1758, the fortress of Louisbourg fell before the united British and colonial forces, and soon thereafter there appeared in Boston *The Conquest of Louisbourg*, by John Maylem, who again on the title-page added to his name the epithet "Philo-Bellum." This piece, the third and last of his poems of war, is in the high-flown manner of its writer's period. In heroic couplets, its 358 lines relate the general preliminary steps of the expedition, sing the praises of the leaders, and describe the assaults by which the victory was attained. It is more conventional in matter and smoother in construction, but less spontaneous, less genuine, indeed, than the earlier poem in which he proclaimed the personal and public injury resulting from the massacre at Fort William Henry.[2]

The evidence of Maylem's actual participation in the Louisbourg campaign is not conclusive. There exists the petition of the nineteen officers already referred to, showing that in April, 1758, he was preparing to go

[1] Lieutenant Simon Wade, who signed the letter with Maylem, was an associate in arms of the poet in more than one campaign, and at Fort William Henry both were officers under Colonel Frye. Wade's record is found in Massachusetts Archives, French and Indian War Records, and in Massachusetts Archives, Military Series, LXXVI. 195, 239, 241, 708, and 709. Thomas Shaw, who seems to have endorsed the letter, was a captain of New Jersey troops present at Fort William Henry. After his release from captivity, he was promoted to a lieutenant-colonelcy and was killed before Ticonderoga on July 8, 1758. See *Documents Relating to the Colonial History of New Jersey* (New Jersey Archives Series), IX. 184–185.

[2] For bibliographical discussion, see No. 5 in the list of Maylem's published works, p. 118, below. The 358 lines of the poem are wrongly numbered 362.

upon the Canada expedition as a captain in the Massachusetts forces,[1] but with that the record of his part in the expedition ceases. His poem on that event, furthermore, is entirely without personal reference, and, as far as its incidents are concerned, it could easily have been written upon the basis of reports contained in the gazettes of the action. But there is evidence of another sort that helps to persuade me he was present at that notable victory. Again we turn to the manuscript remains of the poet rather than to official records. One of the vexations of that campaign was the long period of inactivity the colonial forces were compelled to undergo at Halifax, the rendezvous of the expedition. The following lines on Halifax, then a semi-military colony less than ten years old, are replete with savage criticism of the place and its people and seem to spring from the personal experience of their writer. They form another, and the most bitter, of those satirical pieces which Maylem composed from time to time at the expense of cities in which he found himself bored.

Satire on Halifax in Nova Scotia[2]

The Dregs of Thames & Liffy's sable stream
Danubian rubbish and the Rhine's my theme
Of them I sing, the Rebble vagrant rout
base emigrants that Europe Speweth out
their Country's bane, such traitrous scoundrel crews
torn from the Goals [*sic*], the Gallows & the Stews
from Europe's plains to Nova Scotia's woods
transported over the great Atlantick floods
in shoals they come and fugitive invade
the horrid gloom of Halifax's shade
Oh Halifax! the worst of Gods creation
Possest of the worst scoundrels of Each nation
Whores, rogues & thieves the dregs and skum of vice
bred up to villany, theft, Rags and Lice
proud upstarts here tho starved from whence they come
just such a scoundrel pack first peopled Rome
Send them to hell & then they'll be at home.

I do not know of any occasion in Maylem's short life in which he might have visited "the horrid gloom of Halifax's shade" except at the time of the Louisbourg expedition, so that his vindictive description of that northern outpost assumes some importance in our story as probable evidence of his presence at the siege which he celebrated in exalted strains.

[1] See note 4, p. 99, above.

[2] MS. in Du Simitière Papers, Library Company of Philadelphia, whence this piece was printed by Duyckinck, *Cyclopaedia of American Literature*, 1. 432. A list of the Maylem items in the Du Simitière Papers is given below, p. 110.

VI

IT is difficult to be sure of Maylem's movements immediately following the publication of his Louisbourg poem in the later months of 1758, but not long after that event he seems to have removed himself and his literary ambitions to the city of New York, where he lived from some time before June, 1759, until October, 1760.[1] It is not certain whether his purpose in going there was the pursuit of literature or the pursuit of commerce, but it is unhappily true that he pursued neither to good effect. He left that city with but two coppers in his pockets after nearly two years of residence, and the only known results of his literary activity in those years are three unpublished poems of small merit. The first of these is an undated piece entitled "John Maylem's directions to his Taylor in New York,"[2] in which, with unnecessary particularity, he urges "Mr. Allen" to observe certain directions in the making of his clothes. Another is the piece mentioned earlier in this paper, "A Poem by John Maylem on his birth day 30th April 1760";[3] and the third is "The Daw & Peacocks, a Tale," which we mention later without too much praise.[4] But despite the poverty of his achievement, his life in New York was not dull, though for his sake we might wish it had been so. Something of the nature of his interests and companionships is to be learned from the following exchange of literary cut and thrust between the poet and a pseudonymous personage calling himself "Blanco":[5]

Livingston's Manour 2d June 1759

SIR

Let me tell you you are wicked and profligate at no allowance and that you are totally deficient of that capacity for Poetry and Litterature your senseless Countrymen have innocently flattered you with.

You are vain stupid arrogant mean pitifull Louzy very Louzy Sharping and poor as Job and will certainly continue so till you know yourself for an ass.

Pray take this friendly hint

from BLANCO

To Mr. MAYLEM *to be left at Mr Roome's*
coffee house
New York

Maylem's reply to this little garner of spiteful epithets has been preserved to give us a glimpse of his sharp wit and his skill in the use of the logical processes. After reading it, one would say that such readiness in the

[1] This period is determined roughly by the dates of the Maylem letters in the Du Simitière Papers, now to be quoted.

[2] Du Simitière Papers. [3] *Id.* [4] *Id.* [5] *Id.*

art of vituperation must ordinarily have provided something of a protection to a poet with a sensitive nature.[1]

N. Y. June 15 1759

Nothing more excites my Pity, than to see the inveterate malice spite and envy of your Littleness who omits no opportunity to convince me that I am grown popular. You write me half a dozen letters, at half a dozen different times, disguis'd in half a dozen different names & hands. and by the date of your last, my fame has spread to Livingston's manor—would any person that thought me a d—d fool, take all this pains to convince me of it? poring over and murd'ring half a dozen pages for Clarissa's & Clarinda's to adapt 'em to your inimitable nonsense.—your last conclude[s] "and poor as Job, and will *everlastingly continue* so till you know your self for an ass" i e (I suppose) *when I know myself for an ass* I shall be rich, but while I know myself the contrary, I shall be poor, very poor—as poor as Job—But (please your Littleness) if none but asses get money you are certainly very rich—I know they are lab'ring *beasts*—But—a—would it not be much better if your Littleness (instead of making your country men who are all rich a common weal of asses) to Sophisticate those only so that are poor?—faith If I'm to be rich upon no other terms than being your brother ass—I had rather be as poor as Job, and everlastingly continue so—Pray your Littleness next time you write, Stick a needle in your nose and look Sharp.

Your Littleness by enquiring at the Coffee house . . . [may] have an answer to your feign'd Clarissa's request, wrote 3 days ago

rem — y^r^ Littlenesses most &c.

To His Littleness
BLANCO *Esqr*
Phil-o'-Blunder
to be left at Mr Smiths Coffee House

Even if we may not take Blanco's aspersions as based upon fact, it becomes evident from the letter about to be quoted that young Maylem went the pace during the year and a half or more of his New York residence. I have not found, except in the three inferior poems already mentioned, indications of any literary activity on his part that might provide a degree of compensation for his irregular and aimless life. One of these pieces, the birthday poem of April 30, 1760, is a feverish mixture of sense and obscurity, overlaid by a quality of gloom that seems more authentic than that which was often artificially engendered through the cult of melancholy then fashionable in English verse. His reflections in this poem on a wasted life and the grave do not seem, however, to have been marks of conversion, for it was several months afterwards that his dissipations reached their turning point in the events related in the following letter:[2]

[1] Du Simitière Papers. [2] *Id.*

My very good Friend M^r J–S–PHS–N

I take this opportunity to avow my gratitude to you and your wife, in a most sincere manner for the many favours receiv'd when reduc'd to the most contemptible state of indigence, & should tax myself with the highest injustice, was I deficient in making my acknowledgements.

That unlucky afternoon when I came home to your house with my senses totally absorb'd in Liquor, prov'd one of the luckiest in my life—I awoke next morning in such a shocking condition, that to have any Idea of my situation you must form a picturesque of the horrors of the damn'd. I got up, & without seeing any one, ran directly to Whitehall, embark'd in the ferry boat & in 2 days (solely on foot) arriv'd at Philadelphia, with all the horrors of indigence and poverty having but 2 coppers in my pocket, & ate nothing for 36 hours & laying in the woods one night.—I determin'd to put an end to my being & striking farther into the woods, took out the shirt out of my pocket & fixing a noose in each sleeve, make [*sic*] a slip, hung one of the nooses on the remainder of a broken bough & stretching open the slip thrust my neck in & swung off—when the cloth giving way I came with a full sweep upon the ground the shirt being rent fairly in two—I began then to reflect with all the horror of suicide & could scarcely help thinking it otherwise than an interposition of divine Providence—however I made good use of it—refrain'd from all intemperance, alter'd my conduct & have since enjoy'd a tranquillity to which I have been a stranger this many years; my principles of religion however is not alter'd in regard to what they were but yet allowing there was no such thing as futurity yet the pleasures of a temporal life by the 3 weeks experience I have had can make of earth a heav'n.

I went into the city, found several of my friends—embark'd for R I where I am now arriv'd—& shall settle immediately into some steady Business.

Beg M^r J–s–phs–n you will be kind enough to deliver Mr Hawxhurst, that favour of the bag wig which you was kind enough to present me—he will see it safely convey'd me—mine is all off my head—& I am (you know) little able to buy—the favour will be gratefully acknowledged among the already innumerable receiv'd by

Y^r very much oblig'd
JOHN MAYLEM

Hope your books prove right—pray mention nothing to no one concerning that same hanging affair, you are (except myself) the only person in the world that knows it—pray M^r J–s—n send the wig

due respects to y^r spouse M^r J–d–h & his Spouse Mr Hawxh— will send the wig by Cap^n Gibbs with my lac'd hat—which is at Taylors, an odd place to leave a hat—as bad as to leave a watch at a Shoemakers

Newport 15 *Oct^r* 1760
vessel just going off

VII

THERE remain but two more events to be noticed in the annals of this frustrated life. On May 19, 1761, there appeared in the *Newport Mercury* the poem already mentioned in which Maylem satirizes the city of his birth. It is entitled "The Boston Sabbath," and in the manuscript version in the Du Simitière Papers reads as follows: [1]

The Boston Sabbath

In ancient Days 'twas God's most sacred will
T' expound his laws, on Sinai's lofty hill
Whose Top terrific, issu'd clouds of Smoke
and thus amidst the flames, the Great Eternal Spoke;
Six days, (said God and loud the same express'd)
Shall men still labour, on the Seventh Rest
But here alas! in this great pious Town,
Th' annul this law; and thus prefer their own;
"and let it be enacted further still,
"that all our people strict observe our will
"Five days & half, shall men and women, too
"attend their business, and their mirth pursue,
"but after that no man without a fine
"shall walk the Streets; or at a tavern dine,
"one day & half 'tis requisite to rest
"from toilsome labour and a luscious feast;
"henceforth let none in peril of their lives,
"attempt a journey; or embrace their wives;
"no barber, foreign, or domestic, bred,
"shall once presume to dress a lady's head;
"no Shop shall Spare, preceding Sabbath day
"a yard of Ribbon or an ounce of Tea;
"five days & half, th' Inhabitants, may ride,
"all round the Town, & villages beside;
"but if thro' chance, they lose their destin'd Road,
"'Tis our Command, they lodge that night abroad,
From hence 'tis plainly seen how chang'd indeed,
That Sacred Law, which God himself decreed;
In this one act, they think to merit Heaven,
by taking half a day from Six & adding it to Seven.

[1] This anonymous poem was reprinted from the *Newport Mercury* by Carl Bridenbaugh in the *New England Quarterly*, VII. 325–326, with an interesting note, but without attribution of authorship. Its inclusion in manuscript among the Maylem poems in the Du Simitière Papers and its publication in the *Newport Mercury* during Maylem's lifetime in that town seem sufficient warrant for attributing it to Maylem's pen.

On the roster of the Rhode Island troops enlisted for the campaign of 1762 appears the name of John Maylem.[1] Fewer than half the Rhode Island men who joined the attack upon Havana in that year returned to their homes after that successful but costly expedition; and because we never afterwards find the name of John Maylem in record, or attached to book or poem, it naturally occurs to us as an explanation that the poet and warrior was among those who in the course of the West Indian campaign paid the price of their zeal.

Except for the two long pieces, *Gallic Perfidy* and *The Conquest of Louisbourg*, there is not much in the poetical remains of John Maylem to detain the critic of literature. There is nothing so unprofitable as conjecture of the "might have been" in the case of poets who die young. But of him it can be said that he possessed an ardent spirit as man and poet, and that his poems of war touched something in the hearts or minds of his contemporaries. The ill-natured and anonymous Blanco, whose letter has been quoted, gives us unwittingly a glance at contemporary opinion in his gibing words: " . . . you are totally deficient of that capacity for Poetry and Litterature your senseless Countrymen have innocently flattered you with." The reprinting of one of the long poems, and probably of both of them, at Newport in 1775, and of both at an unknown place in the early nineteenth century is evidence that in the opinion of immediately succeeding generations, they were not without effectiveness.[2] A later poet, and fellow-townsman, Joseph Brown Ladd, recorded a youthful memory of Maylem's verse in the couplet:

> Such warmth of fancy, once a Maylem fir'd
> Untaught he sung, by all the muse inspir'd.[3]

Appended to these words is Ladd's note: "John Maylem was a poet of genius, who lived not many years since. His productions bear every mark of a deficient education; but his genius rose superior to every inconvenience, and he remains a shining example of the Horatian maxim, that 'Poeta nascitur non fit.' " The author of this encomium was born in Newport in 1764 and lived there until his removal to Charleston, South Carolina, in 1783. It is good to know that a boy growing up in Newport in the generation following Maylem's disappearance from record should still have heard

[1] Howard M. Chapin, *Rhode Island in the Colonial Wars. A List of Rhode Island Soldiers & Sailors in the Old French and Indian War, 1755–1762*, p. 100. We learn from Mr. Chapin also that a large company of those who enlisted in Newport in 1762 went upon the West Indian campaign.

[2] See pp. 117–120, below, for an account of the late eighteenth- and early nineteenth-century reprints of Maylem's poems.

[3] Ladd, *The Poems of Arouet*, p. 23.

the echoes of his verse and have thought it inspired. And whatever one's personal definition of genius, it is good to know that the only eighteenth-century reference found in print to John Maylem's poems was, in intention, one of high commendation.

VIII

The Unpublished Works in the Du Simitière Collection of Maylem Papers

THE Maylem Papers in the Du Simitière Collection in the Library Company of Philadelphia, all but two pieces unpublished, comprise the following poems and letters, arranged in what I suggest as an approximation to chronological order:

1. Acrostic—Polly Turner.
2. Acrostic—Katy Malbone.
3. Description of Newport.
4. Satire on Halifax (printed in E. A. and G. L. Duyckinck, *Cyclopaedia of American Literature*, 1. 432).
5. The Daw & Peacocks, a Tale.
6. A Poem by John Maylem on his birth day.
7. John Maylem's directions to his Taylor.
8. Letter from Blanco to Maylem.
9. Letter from Maylem to Blanco.
10. Letter from Maylem to Mr. Harris.
11. Letter from Maylem to Mr. Josephson.
12. The Boston Sabbath (printed in the *Newport Mercury*, May 19, 1761; reprinted in the *New England Quarterly*, June, 1934. See note 1, p. 108, above).
13. The Birdiad.

In the following pages is given either a description or a full quotation of such of these as have not already been dealt with.

"The Daw & Peacocks, a Tale" is a labored, silly anecdote, comprising four pages of written ordure. It is interesting as an example of the sort of thing that amuses a few of every era, and that in the eighteenth century amused many. In reading it one recalls how muddy the waters of mirth can be in youth and charitably keeps in mind the youth of its author. Its interest does not seem sufficiently great, even from the antiquarian standpoint, to demand its reproduction.

"A Poem by John Maylem on his birth day 30th April 1760 being then 21 years of age" is the farewell to the world of a disillusioned, unhappy youth who seemed to be assured of his early demise. Much of it is obscure, most of it is commonplace, and a deal of it verges upon bathos. What there

is in it of biographical value has been extracted for the purposes of the foregoing sketch. The remainder does not seem of sufficient importance to justify its printing here. Much of this poem may have been the usual *Weltschmerz* of youth, much the fashionable poetic melancholy, but having read Maylem's letter of October, 1760, to Mr. Josephson, one feels in the poem a mannered but none the less genuine expression of the emptiness of heart, disappointment, and sense of futility that later engulfed him when, after a drinking bout, he actually tried to hang himself in the Pennsylvania forest.

"John Maylem's directions to his Taylor in New York" is a bit of playful verse of some antiquarian interest, but hardly deserving of withdrawal from its manuscript obscurity. A part of it, however, may serve to gratify the curiosity of those interested in the details of male costume in New York in the year 1760.

Mr. Allen

Be kind enough to observing [*sic*] ye following Directions in my Cloaths viz:

My Coat made a la mode—Paris
to reach in length below the Knee
Short waisted with a mighty Cuff
as big full cut as Frenchman's muff
(not such as worn by modern asses
For current mode and Fashion passes—
which makes their elbows look by G–d
If as [*sic*] they'd wash'd em in soap sud)
Five buttons on it close in a row
Five on the Pocket flaps below
a very modish pocket Flap
full trim d' y' see with hair & shape
Such as may give important air
when I to Coffee house repair
To make me look as fierce as Caesar
and then a pretty girl to please Sir
. . . . .
Five Buttons to each Knee as Sir
you made 'em for me twice before
and in all things keep due proportion
and I shall be at your direction.

"To Mr. Harris in the Fields" is a letter full of recondite allusions of a bawdy character. Further reference to it seems to be unnecessary.

"The Birdiad" should be allowed to tell its own story. I have not been able to identify the Jonathan Bird who was the object of this savage attack in retaliation, this assault with a bludgeon that sometimes took on the

qualities of a rapier. Indeed, the only person of that surname that I find in Newport in this period is Nathaniel Bird, who was made a citizen of the town in 1758, and who is found advertising later (*Newport Mercury*, April 28, 1761, and November 17, 1766, for example) a general store in which books and stationery form an important part of the stock for sale. Maylem refers several times to his victim in "The Birdiad" as "Natty." In view of the character he gives him, however, I hardly like to suggest the probably meritorious Nathaniel Bird as the author of the *Winter Evening's Conversation* to which Maylem replied in "The Birdiad."

The reference in the heading of the poem to Green, the Boston satirist, leads us at once to the *Entertainment for a Winter's Evening* (Boston, 1750), in which Joseph Green had amusingly satirized the Boston Freemasons on the occasion of their church procession on St. John the Evangelist's Day, 1749. It is evident from Maylem's remarks that Mr. Bird's *Winter Evening's Conversation* was reminiscent in more ways than one of Green's witty book. I have not been able to find, in newspaper or separate publication of the years 1758–1762, this *Winter Evening's Conversation* of Mr. Bird which drew upon him the anger of John Maylem. That Maylem's poem is of the year 1758 or later seems to follow from his note on the old woman named Bird who was born in London in 1666 and died in Newport "some short time ago aged 92."

It is possible to identify all but one of those members of the Lodge mentioned in Maylem's defence. We learn from Henry W. Rugg's *History of Freemasonry in Rhode Island* (p. 785) that "gen'rous Jenkins" must have been Robert Jenkins, master of St. John's Lodge, No. 1, Newport, from 1753 to 1759, as well as in 1761 and 1762. The portrait of Robert Jenkins by Greenwood is on the walls of the Rhode Island Historical Society. The manuscript catalogue of the portraits in that Society states that Jenkins was born in England and came to Boston in 1700. It seems uncertain when he became a resident of Newport. "The friendly Richards" was doubtless that William Richards whose name appears in a Masonic advertisement in the *Newport Mercury* of July 3, 1759. The present secretary of St. John's Lodge, No. 1, Newport, Mr. Chester Staats, has very courteously affixed Christian names to the following additional individuals mentioned in Maylem's poem: "Johnston mercifull and kind"—Augustus Johnston, who became a member of the Lodge November 15, 1750; "the noble gen'rous Stelle"—Theodore G. Stelle, who became a member August 16, 1757; "Lightfoot in every sense refin'd"—Robert Lightfoot, who became a member September 1, 1757. From information supplied by Miss Mary T. Quinn, Rhode Island Archivist, who examined for me the signatures to the "Petition of Master, Wardens & Society of Free and

accepted Masons of Newport,"[1] I conclude that "Franklin, Cole Dupee or Miller" were, respectively, James Franklin, the printer (nephew of Benjamin), Edward Cole, John Dupee (or Dupuy), and John Miller. "The sacred name of Pollen" brings to view the person of the Reverend Thomas Pollen, rector of Trinity Church, Newport, 1754–1760.[2]

THE BIRDIAD
A POEM

In answer to M[r] Bird's Winter Evening Conversation, of no less than 129 lines long &c as he calls it the title is borrow'd from Green. design'd as a satire against the Procession of Freemasons on S[t] John's day—tho' 'tis so weak and fullsome, I imagine 't would require (not only a winter's Evening but) a Winter Season to make common Sense of it.

wrote ex tempore
by Philo-Muses

Rara Avis in Terris—HOR.

The Birdiad wrote Extempore upon seeing the *Productive Quality* of a *curious* Phenomena which dayly *exhibit* itself to almost every individual in The Town of New-Port JONAT. BIRD

Presumptuous Fool! that durst Incur
the muses Ire by Grubstreet Slur—
Say what vertigo seiz'd your cranium?
what urg'd you to eject your venom?
Or was it Cyder ale or Port,
that Spurr'd you to the weak effort?
to handle Sacred Characters
in demi-Song and wretched Verse?
why put your self into a passion
and Quarrel with the Sage Procession
Because (unfit for Social Plan)
You only are—but half a man—
So Fox* that gave a hundred leaps
To Reach a Luscious Bunch of Grapes
unable to attain the rare Juice
Cry'd damn 'em they're as Sow'r as verjuice
like Indian drunk in number Whimsic,
you spew in Rhimes to make us damn'd sick
Had Grammar, numbers, sense or Rhime,

* Intruding himself once into the Lodge, they got him drunk—shinn'd his face & play'd the devil with him—as 'tis said.

[1] Petitions, x. 82, June 13, 1759. [2] See Mason, *Annals of Trinity Church.*

Made (only) an indifferent Chime,
How durst you miscreant draw your pen
To Scandalize the best of men?
What has not gen'rous *Jenkins* done?
are not his Excellencies known?
In everything he shews the man—
and—imitate him—if you can.
With *Johnston* mercifull and kind,
To charity and good inclin'd,
Whose gen'rous Soul with bounty flows,
approving what his purse bestows
and *Bull* whose virtues far exceeds
Th' amount of all your *foolish* deeds
Did to your Grannam* oft bestow
was she alive she'd tell you so—
The friendly Richards oft evinc'd
His Charity, and good dispenc'd
Has often reliev'd the low distressed
with Poverty and want oppress'd—
How durst you miscreant draw your Quill
against the noble gen'rous Stelle
Once in your life a truth you've said
to hungry mouths he deals his bread
Which ergo proves that in the mouth
of Fools sometimes there is a truth
Lightfoot in every sense refin'd
to Captivate the human mind
an honour to the Social Plan
and—(what is more than you,) a man
Had *Franklin*, Cole Dupee or Miller
Been each like you a silly fellow
I scarcely ever should imagine
You would have thus express'd your dudgeon
Ergo it proves upon the whole
They're men of sense and you a fool
But what mistake is this you fall in
To use the sacred name of *Pollen*

* There liv'd in New Port a very miserable object of the name of *Bird*, who subsisted upon alms she was born ye night before the great fire in London 1666—& came (as did the subject of this satire) from London—whether they stood in relation to one another or not, is nothing to the purpose, this being *Poetica Licentia*—'tis to be observ'd however that there never was a greater connection between a couple of guineas, than the resemblance they bore to each other—as every body that knew her will confess she died in the alms house in New Port some short time ago aged 92—a most unreasonable age!—'tis reported he was a blue coat boy & a F—dl——g—tho at present he is in very affluent circumstances.

miscreant vile—why not explode
at once the being of a God?
be drunk with Cyder—Spue agen
and ridicule the best of men—
what will your aged Grannam say
Then [*sic*] dy'd in alms-house t'other day
When she shall hear the doleful dole
That Natty is a *dreadful* fool!
Whether in Querpo or in Limbo
with ragged elbows half a kimbo
She'll screw her mouth and leathern face
and has my Natty prov'd an ass?
Betray'd his folly?—oh the rogue!
How oft have I with neer a brogue
To house of God a Sunday gone soon
To pray for wisdom in my grandson
at Service time in th' alley sat*
as melancholly as a Cat
when not a Soul wou'd be so civil
as ope their pew door—Oh! the Devil—
Is this my Natty—he who was
the very picture of my face?
the very nose the very chin
with freckled face and visage thin
in Shape, and gait and ev'ry Limb
he was like me, and I like him
Tho he indeed was something smaller
(Was three foot high ** I somewhat Taller)
and (Consequently) by the plan
of nature was but half a man
yet I expected (barring *that*)
He'd be a *man* in *sense and witt*
He might have pass'd a child of sense
Had not his dull impertinence
Like fabled Cur—betray'd the Elf
who yelping ridicul'd—himself
I'd rather had led Apes in hell
Than thus have known such poignant ill!
Dull versifier—sad ingrate!
To make a Parent curse her fate
What urg'd you to a task so shameful
To tell the world you was a d—d fool,

* She us'd to go to meeting & sit in the alley opposite the pulpit & a damn'd motley figur [word illegible].

** a d—d small fellow—

So have I seen a toad that's speckled
For you're an instance they are freckled*
Close under cover sitting squat
with venom working in their throat
at Travellers their malice spit
and all their little rage emit
while they their Journey did pursue
nor did the pretty reptile view—
and so you'll often see a whelp
at light of Phoebe bark & yelp
while she unmindfull of the cur
moves calmly in her silver sphere
Perhaps you thought the *name* of Bird
Entitled you to name of *Bard*
Because a Bird you say will sing
and soar away—like any thing
That you are a Bird we all allow
your ev'ry action prove it so
But Hark ye—understand me right
I mean you are—a Bird—of night
an Owl by nature, Bird by name
The name and nature just the same
For was you any other Fowl
Than what you are—a perfect Owl
Or good for ought, you had been carv'd
or for a Chicken Soop had serv'd
or had you even been a Goose
You had been eat with Christmas sauce
But Owls you know—are good for ne'er-a-one
But are when dead a stinking Carrion—
Since then this prov'd you are an Owl
and (consequently) void of soul
to Lonely ruins skim away
nor more appear in open day.
But Natty if in spite of witt
you will your little ——† spit
Be not an owl, be not an ass
nor murder Green and Hudibras*

PHILO-MUSES.

N.B. the above Poem is an accurate Copy from the Original in John Maylem's own hand writing. (Du Simitière's note.)

* a d—d freckled Chap—

† this word is defaced in the original. (Du Simitière's note.)

* this fellow, murder'd several passages in Hudibras, & one Green a great Satyrist in

IX

Bibliography of the Published Works of John Maylem

1. [The Conquest of Beauséjour. 1755]?

No copy of this poem on the victory of Monckton and Winslow in Acadia in June, 1755, has been found in separate form or in the columns of a Newport or Boston newspaper of that year. The only reference to its existence occurs in the opening lines of the author's *Gallic Perfidy*, which read:

I Who, of late, in Epic Strains essay'd
*And sung the Hero on Acadie's Plains,

and are supplemented by the following footnote: "*The Conquest of Beau-se-jour, by Colonels Moncton and Winslow, in 1755." It seems unlikely that Maylem would have called attention in so conspicuous a fashion to a poem not already published.

2. Gallic Perfidy: a Poem. By John Maylem } Philo-Bellum. Boston: New-England: Printed and Sold by Benjamin Mecom, at The New Printing-Office, July 13. 1758 - - - - Where may be had that noted little Book, called Father Abraham's Speech.

8vo. [A]–B^4; pages [1–6], 7–15.

Wilberforce Eames, *Benjamin Mecom*, No. 10; Evans, No. 8194; Sabin, No. 47155; Wegelin, No. 269.

This is the earliest of Maylem's poems so far identified in printed form. It may claim place in three special bibliographies in addition to those of printer and author: French and Indian War narratives; early American poetry; and Indian captivities. For comment upon the "noted little Book" advertised in the imprint, see Eames, *Benjamin Mecom*, No. 9.

Copies: AAS. BA. JCB. MHS. NYPL.

3. [Gallic Perfidy. Newport, 1775?].

There is evidence that an edition of this place and date once had existence, though no copy of it has been recorded or found advertised in the *Newport Mercury* for that year. In entry No. 7, below, a nineteenth-century work in which are combined reprints of *The Conquest of Louisbourg* and *Gallic Perfidy*, we find at the foot of the first page of *Gallic Perfidy* the following imprint: "Boston, Printed in 1758. Newport, (R. I.) Re-printed by Solomon Southwick, in 1775." Unless the publisher of this nineteenth-century reprint made up from the whole cloth the imprint just quoted, and this is unlikely, the reasonable inference is that there once existed a Newport edition of the poem bearing this very imprint. It is a fact that

Boston—to adapt them to his matchless Essay which is just as comprehensive as Jacob Behmen—I wish I had a Copy of it.

in 1772 Solomon Southwick reprinted two American historical narratives, Church's *Entertaining History of King Philip's War* and Morton's *New-England's Memorial*, and it is suggested from what seems good evidence, presented in No. 6, below, that he published in 1775 a reprint of Maylem's *Conquest of Louisbourg*. It seems clear that he was indulging an interest in New England historical works of the past, almost, indeed, as if he were proposing a series of reprints. In such a series, he might reasonably have included an edition of a local author's poem on an event of the French and Indian War. But no copy of such a reprint of *Gallic Perfidy* is known, though the supposed Southwick reprint of *The Conquest of Louisbourg*, No. 6, below, exists in several copies. One need not despair, however, of some day turning up a specimen of the edition suggested here as once having had existence.

4. Gallic Perfidy. *ca.* 1820.

See description of No. 7, below.

5. The Conquest of Louisbourg: a Poem. By John Maylem, Philo-Bellum. [ornament] Boston, N. E. [Samuel Kneeland?] Printed in the Year. 1758.

Sm. 4to. [A]–E^2, of which A_1, blank or with half-title, is lacking from both known copies; pages [i–ii], 1–16 in copies seen; 358 lines wrongly numbered 362.

There are no advertisements of the publication of the poem in Boston newspapers of either 1758 or 1759. The typographical flowers on page 1 and the engraved ornament on page 16 lead one to attribute this book to the press of Samuel Kneeland, even though one is aware of the danger of complete dependence on that method of identification. An examination of twenty of Kneeland's books of the period 1750–1758 shows that he used the flowers in headpiece and initial on page 1 in fourteen instances and that in three instances he used precisely one or the other of the combinations of the flowers found in the Maylem book. This evidence is invalidated somewhat by finding an occasional use by other Boston printers of all but one of the flowers, and one instance in which Green & Russell employed the same combination of the same flowers used in the initial on page 1.

The engraved ornament on page 16, however, seems to offer stronger evidence of Kneeland's responsibility for the book. This ornament is not found in any other Boston book examined that proceeds from the period 1750–1758, but recognizing its old-fashioned character, we turn to an earlier period and find at least three books in which it is employed: *At a Conference held at Deerfield*, Boston [no printer's name], 1735; *Memoirs of the Odd Adventures of John Gyles*, Boston, Samuel Kneeland, 1736; *A Discourse concerning the Currencies of the British Plantations in America*, Boston, Samuel Kneeland, 1740. There is no question that the ornament was printed in each of these cases from the same cut that was used in the Maylem book of 1758. In *At a Conference*, of 1735, the beginning of a narrow crack is perceptible in the right-hand corner of the impression. In the books of 1736 and 1740, which alone are known to be from the press of Samuel Kneeland, this crack has grown successively wider and longer. In the Maylem book of 1758, the crack is still wider and runs entirely across the upper right-hand corner of the impression. The use of a cut known to have belonged to Kneeland in a book which

The Conqueſt of

LOUISBURG.

A

POEM.

By John Maylem, *Philo-Bellum.*

NOT to Aonian Spring, Parnaſſian Mount,
Fam'd Helicon, nor Aganippæ's Fount, *
For fancy'd Fire, I aim the wonted Flight,
Nor yet explore Olimpus's craggy height :
Where ſabled GODS in fam'd Aſſembly meet,
Self-pois'd the Globe, an Atom at their Feet—
But to th' imperial Throne, for ſolid Rhime,
Addreſs the Univerſal Cauſe ſublime———
O GOD ! Immortal Deity——Supreme !
Father of Goodneſs ! deign a heavenly Gleam
Me with celeſtial Ray benign inſpire,
And through each Vein diffuſe poetic Fire !
Æthereal Vigour in each Line diſplay,
While I the Man and glitt'ring Arms eſſay :
Since Thou great Parent deign'd paternal Aid,
And terrible thy mighty Pow'r diſplay'd,
Heroic Verſe to noble Deeds belongs,

Arms

* Aganippæ A famous Spring in Boetia which roſe out of Mount Helicon and ran into the River Cavonaſſus and was ſacred to Apollo and the Muſes

For description, see No. 6 on the facing page (reduced; size of original 4⅞ × 8)

employs also certain combinations of printers' flowers found in other Kneeland books is sufficient warrant for suggesting that the Maylem book too proceeded from the Kneeland press. If this method of reasoning is acceptable, it leads to the conclusion that Kneeland was also the printer of the Indian Treaty named above, *At a Conference held at Deerfield*, published without name of printer at Boston in 1735.

Copies: AAS. MHS.

6. [*Caption title*]: The Conquest of Louisburg [*sic*]. A Poem. By John Maylem, Philo-Bellum. [Newport, Solomon Southwick. 1775?].

8vo. [A]^4, B^2, last leaf blank, pages 1–10, [11–12]; 358 lines wrongly numbered 362.

It is necessary to turn to the description of No. 7, below, to understand the reasons for the attribution of this edition to the Newport press of Solomon Southwick in 1775.

This edition in octavo which we are now considering, without date, printer, or place of publication, is sometimes confused in cataloguing with the edition of Boston, 1758, No. 5, above, which until recently has been virtually unknown to bibliographers. There are two reasons, however, for assigning it to the Newport press of Solomon Southwick, and to the year 1775. In No. 7, below, we find a nineteenth-century reprint of the two poems, *Gallic Perfidy* and *The Conquest of Louisbourg*. In association with *Gallic Perfidy* is the imprint: "Boston, Printed in 1758. Newport, (R. I.) Re-printed by Solomon Southwick, in 1775." In No. 3, above, we have taken this imprint as evidence that an edition of *Gallic Perfidy* appeared in 1775 in Newport, reprinted by Solomon Southwick from the Boston edition of 1758. We have also called attention to the fact that Southwick in this period seemed to be turning to the making of American historical reprints and suggested that among them he probably included these two works of a local poet.

Additional evidence for the attribution of the publication to Southwick is found in the line of typographical flowers at the head of page 1. Examination shows this line of flowers interrupted by an exclamation point and by an interrogation mark, doubtless put in to break the monotony of a stiff and unattractive ornament. This usage, in connection with the same flowers, appears in others of Southwick's publications of the period 1774–1776, and one might conclude that it was a highly individual characteristic if it were not that the same line of flowers with an interrogation mark at the end of the line is found in Dunbar's *Presence of God with his People*, printed by Kneeland & Green of Boston in 1760. There is nearly always a fly in the ointment of this particular mode of identification. But taking the given arguments together, there seems to be evidence enough for the suggestion of Southwick as publisher and Newport, 1775, as place and date of publication.

Copies: BU (Harris Collection). RIHS. A.S.W. Rosenbach. Matt B. Jones.

7. [*Caption title*]: The Conquest of Louisburg [*sic*]: a Poem. By John Maylem:—Philo-Bellum. [Second title]: Gallic Perfidy. A Poem. By John Maylem.—Philo-Bellum.

Format uncertain. Leaf measures 5⅞ x 3¾ inches; 9 leaves, pages 1–10, 3 unnumbered, 12–16; 349 lines instead of 358 in the *Conquest of Louisbourg*.

The place, printer, and date of publication are unknown, but the work is obviously that of an early nineteenth-century press. The only copy I have seen is that in the Harris Collection of American Poetry in the John Hay Library of Brown University. It bears at the bottom of the page which carries the "Argument" of *Gallic Perfidy*, facing the first page of text of that poem, the imprint already twice quoted: "Boston, Printed in 1758. Newport, (R. I.) Re-printed by Solomon Southwick, in 1775." The book has been catalogued in the Harris Collection, because of this imprint, as of Newport, 1775; but it is, I am sure, a nineteenth-century publication. I have suggested in No. 3, above, that this imprint was literally copied by the nineteenth-century printer from a copy of an edition of *Gallic Perfidy*, Newport, 1775, which has since disappeared.

8. The Boston Sabbath.

This poem appeared in the *Newport Mercury* for May 19, 1761, without name of author. It is assigned to John Maylem on the basis of its inclusion among the manuscript remains of Maylem in the Du Simitière Collection in the Library Company of Philadelphia. It was reprinted in the *New England Quarterly* for June, 1934. See note 1, p. 108, above.

It will be seen that the Maylem publications present numerous bibliographical difficulties. It is impossible to speak with certainty concerning all the elements—place, date, author, and publisher—of any of them except the Mecom edition of *Gallic Perfidy*, of Boston, 1758. The foregoing notes are presented as probable solutions of the questions raised by all other editions of the several pieces.

Mr. LEONARD W. LABAREE read a paper entitled:

The Royal Governors of New England

BY the terms of the charter of 1629 the freemen of the Massachusetts Bay Company were authorized to choose annually their governor, deputy-governor, and assistants. Few of the powers derived from the charter were more highly prized by the Puritans, for few were more fundamental to the complete maintenance of their ideas of Church and State than the naming of their own chief officers of government. Jealously did they guard this vital privilege. The very report of the appointment of a governor-general by the Crown in 1634 was enough to

THE ARGUMENT.

The subject proposed. Invocation.—[M. Montcalm, *the 9th of August last, with* 11,000 *Regulars, Canadians, & Indians, and* 19 *pieces of brass and iron cannon.* 2 *mortars, and a hoit, invested the garrison of* William Henry, *and lines adjacent, consisting of* 500 *regular, and* 1,300 *provincial troops effective; which, after eight days siege, capitulated.*] *Articles of capitulation. Description of the Savages. Horrid violation of the Treaty. We are overpowered and put to flight. Pursuit. Numbers captivated. The Author taken prisoner by the Indians. Their behavior to him. He embarks, with* 50 *prisoners, painted in savage order. An Indian war-revel. Arrives at Montreal. Redeemed, with others, by* M. Vaudreil. [*An hundred prisoners carried off to the Indian country, that arrived before us, by another way.*] *A shocking instance of savage cruelty.*——*Concludes with a hearty* ADDRESS.

BOSTON, PRINTED IN 1758.
NEWPORT, (R. I.) RE-PRINTED BY SOLOMON SOUTHWICK, IN 1775.

GALLIC PERFIDY.

A POEM.

BY JOHN MAYLEM.—PHILO-BELLUM

I WHO of late in Epic strains essayed,
*And sung the hero on *Acadie's* plain,
Dreadful in arms, and vest of *Tyrian* hue,
With laurel wreath, and mighty conquest crown'd,
In equal numbers still attempt to sing;
But yet in rougher strain for softer rhyme
Seems not adapt to this my solemn theme.
Not how the *Gaul* and swarthy foe approach'd
And first assail'd the fortress: nor what pass'd
In the dread interval of eight days siege
I mean to sing, but breach of plighted faith,
And violation of the sacred laws
Of nature and of nations; with th'event,
The dire event, and fatal consequence,
Attendant on the foes perfidious breach
Of solemn and capitulated terms.
Amazing perfidy! ——————
—————— Not to invoke
A vulgar Muse. Ye powers of fury lend
Some mighty phrensy to enrage my breast
With solemn song beyond all nature's strain!
For such the scene of which I mean to sing.
Enough! I rave!—The Furies rack my brain!
I feel their influence now inspire my song!
My lab'ring Muse swells with the raving God!
I feel him here! my head turns round! 'twill burst!
So have I seen a bomb, with livid train,

*The conquest of *Beau-se-jour*, by Colonels *Monckton* and *Winslow*, in 1755.

For description, see No. 7 on pages 119–120 (*reduced; size of original* 3¾ × 5⅛)

lead to the strengthening of the military defenses of the Bay Colony. But for fifty years more the annual elections continued without successful interference.

It is not surprising, therefore, that when the charter was finally vacated and Massachusetts found herself ruled by governors not of her own choosing, the conservative Puritans showed resentment and looked with utmost suspicion upon governors who took office by virtue of the king's commission instead of the mandate of God's elect. In time, as the more militant Puritans passed from the scene and others became somewhat reconciled to the inevitable, the hostility to the royal governors underwent a change in character, if not in strength. The rise of new economic problems led to a division of sentiment within the province, with the conservative, propertied, and mercantile interests arrayed against the underprivileged and the rural classes. Since the governors almost always sided with the conservatives, they drew upon themselves the hatred of the economic radicals, who, quite correctly, recognized in the king's representatives the most powerful opponents of inflation and ready help for debtors. Finally, the general rise of colonial discontent, especially at the new British policies adopted after 1763, led to a further shift in the basis of hostility to the royal governors. The political radicals, or patriots, came rightly enough to look upon them as the leaders of the prerogative party, as the standard-bearers of toryism and repression, and hated them for what they represented. At all times, therefore, from the destruction of the first charter to the outbreak of the Revolution, there were strong and articulate groups ready to attack the royal governor of the moment, to denounce him as mercenary and incompetent, and to leave upon the pages of later sympathetic historians a reflection of their own hostility.

In the course of the past forty years or so, historians have come to take a more objective view of the men and events of that earlier age than was taken in the days when Bancroft and Palfrey set the tone for all writers on New England history. Scholars have studied the documents afresh; new materials, not available to the older writers, have found their way into print; while competent and sympathetic biographies of several of these royal governors have appeared.[1] It is now possible to resurvey these officers

[1] The more recent biographical studies of New England governors include: Mrs. Napier Higgins, *The Bernards of Abington and Nether Winchendon*, vols. I and II constituting a biography of Sir Francis Bernard; Everett Kimball, *The Public Life of Joseph Dudley;* James K. Hosmer, *The Life of Thomas Hutchinson, Royal Governor of the Province of Massachusetts Bay;* Viola F. Barnes, "The Rise of William Phips" and "Phippius Maximus," *New England Quarterly*, I. 271–294, 532–553; C. A. W. Pownall, *Thomas Pownall M.P., F.R.S., Governor of Massachusetts Bay, Author of the Letters of Junius;* George A. Wood, *William Shirley, Governor of Massachusetts, 1741–1756, A History;* Lawrence S. Mayo, *John Wentworth, Governor of New Hampshire, 1767–1775*. A good short account

as a group, estimating their careers and their personalities, both in comparison with the governors of other royal colonies and in relation to the New England stage on which they played their parts. Since New Hampshire, the only other royal province in New England, was under the jurisdiction of Massachusetts during much of the seventeenth century, and for the first forty years of the eighteenth had the same governors as her larger neighbor, it may be well to include the chief executives of that province in the analysis.

Sir Edmund Andros, as head of the Dominion of New England,[1] was the first of fifteen men to assume office as royal governor in New England. For a few years after the collapse of the Dominion the two provinces had separate executives—Sir William Phips in Massachusetts[2] and Samuel Allen in New Hampshire.[3] From 1697 until 1741 there was a personal union of the two provinces, with separate legislatures, but with common governors in the persons of the Earl of Bellomont,[4] Joseph Dudley,[5] Samuel Shute,[6] William Burnet,[7] and Jonathan Belcher.[8] Then came a separation. While Massachusetts was entrusted successively to the care of five men—William Shirley,[9] Thomas Pownall,[10] Sir Francis Bernard,[11]

of Jonathan Belcher is in Clifford K. Shipton, *Sibley's Harvard Graduates*, IV. 434–449. In addition, the *Dictionary of American Biography* contains sketches of all the New England royal governors except Samuel Allen: Jonathan Belcher, Sir Francis Bernard, William Burnet, Joseph Dudley, Thomas Gage, William Shirley, and Samuel Shute, by James Truslow Adams; Sir Edmund Andros and Sir William Phips, by Viola F. Barnes; the Earl of Bellomont, by Charles W. Spencer; Thomas Hutchinson, by Carl Becker; Thomas Pownall, by Leonard W. Labaree; Benning Wentworth, by Isabel M. S. Whittier; and John Wentworth, by Wayne E. Stevens. For biographical data not otherwise credited in subsequent footnotes, I have usually relied upon the above works.

[1] Assumed office, December 20, 1686; arrested and deprived of authority by the insurgents, April 18, 1689.

[2] Assumed office, May 16, 1692; departed for England, December 4, 1694; died in London, February 18, 1695.

[3] Appointed in 1692, but active governor only from September 15, 1698, until superseded on July 31, 1699.

[4] Appointed in 1697; assumed office in Massachusetts, May 26, 1699; in New Hampshire, July 31, 1699; died in office, March 5, 1701.

[5] Assumed office in Massachusetts, June 11, 1702; in New Hampshire, July 13, 1702; commissions not renewed in 1715.

[6] Assumed office in Massachusetts, October 5, 1716; in New Hampshire, October 17, 1716; left for England, January 1, 1723; commissions not renewed in 1727.

[7] Assumed office in Massachusetts, September 17, 1728; in New Hampshire, October 2, 1728; died in office, September 7, 1729.

[8] Assumed office in Massachusetts, August 10, 1730; in New Hampshire, August 25, 1730; superseded, August 14, 1741.

[9] Assumed office, August 14, 1741; sailed for England upon recall, September 15, 1756.

[10] Assumed office, August 3, 1757; sailed for England upon recall, June 3, 1760.

[11] Assumed office, August 2, 1760; sailed for England, August 1, 1769.

Thomas Hutchinson,[1] and Thomas Gage[2]—New Hampshire had only two governors—Benning Wentworth[3] and his nephew John.[4] These are the men with whom we have to deal.

When we compare these New England executives with the English royal governors elsewhere during the same period, certain differences appear. The first and most striking fact is the large proportion of natives chosen to rule the New England provinces. Among all the colonies hardly more than one in eight or ten of the governors was born in America; but six of the fifteen in New England were born in the provinces which they later administered. Phips, Dudley, Belcher, Hutchinson, and the two Wentworths were all New Englanders,[5] descendants of first-generation settlers, and steeped in the New England tradition. No other royal province among those that revolted in 1775 could boast a native son as its full governor, though one in New York came from Jamaica,[6] and three in New Jersey were born in other continental colonies.[7] It would seem as if the home authorities, conscious of New England's pride in her own stock, had sought to conciliate this section by appointing her own sons to rule over her. And, as if to take additional precautions in the management of this difficult region, the Crown selected the remaining governors as far as possible from men who had previously resided in the colonies and were familiar with colonial problems. Of the nine governors born outside New England, only three—Allen, Bellomont, and Shute—were practically complete strangers to America when they assumed office.[8] Andros, Bur-

[1] Assumed office as acting governor, August 1, 1769, and as governor, March 4, 1771; superseded, May 17, 1774.

[2] Assumed office, May 17, 1774; sailed for England during siege of Boston, October 10, 1775.

[3] Assumed office, December 13, 1741; superseded, June 13, 1767.

[4] Assumed office, June 13, 1767; fled to Boston, August 23, 1775.

[5] The places and dates of birth of these men were as follows: Phips: Woolwich, Maine, February 2, 1650/1; Dudley: Roxbury, Massachusetts, September 23, 1647; Belcher: Cambridge, January 8, 1681/2; Hutchinson: Boston, September 9, 1711; Benning Wentworth: Portsmouth, New Hampshire, July 24, 1696; John Wentworth: Portsmouth, August 9, 1737.

[6] Sir Henry Moore, Bart. (governor of New York, 1765–1769), was born at Vere, Jamaica, February 7, 1712/3.

[7] Lewis Morris (governor, 1738–1746), born at "Bronck's Land," New York, October 15, 1671; Jonathan Belcher (governor, 1747–1757), born at Cambridge, January 8, 1681/2; William Franklin (governor, 1763–1775), born, probably in Philadelphia, in 1731.

[8] Allen, though never in America before his assumption of the governorship, had a considerable stake in New Hampshire, since he had bought the proprietary claims to the province from the heirs of John Mason.

net, and Bernard had previously been governors of other colonies;[1] Shirley had lived ten years in Boston;[2] Pownall had been a free-lance observer and general handy man to colonial officials for four eventful years;[3] and Gage had spent long years as a soldier in American campaigns and as commander-in-chief of the British forces.[4] This was a record of colonial experience such as the governors of no other province could boast. One may question, perhaps, whether it was of any practical benefit to a colony to be ruled by men who knew America at first hand, but the home officials, by selecting four fifths of its governors from this class, gave New England, above all sections, the benefit of the doubt.

The New England governors generally came from less exalted ranks of society than did many of their contemporaries in other provinces. Although peers and sons of peers were fairly common elsewhere, only two governors in New England belonged to noble families. Bellomont, son of an Irish baron and himself raised to an earldom in the Irish peerage, was something of a courtier as well as a politician in the British Isles, having been treasurer and receiver-general to Queen Mary as well as governor of County Leitrim in Ireland.[5] Massachusetts and New Hampshire were flattered by the appointment of this noble lord, and the assembly at Boston gave him twice the salary they had paid his predecessor.[6] General Gage, the other high-born governor, was the younger son of a viscount. But by his time Massachusetts was no longer interested in the families of the British peerage. The absence of enthusiasm at his inauguration bore eloquent

[1] Andros had been an officer in a regiment in Barbados from 1666 until about 1672, in which year he was made a landgrave of Carolina. From 1674 until 1681 he was proprietary governor of New York. Burnet had been governor of New York and New Jersey, 1720–1728. Bernard had been governor of New Jersey, 1758–1759.

[2] Wood (*William Shirley*, pp. 35–91) gives a detailed account of Shirley's years in Boston as barrister, judge of the vice-admiralty court, and advocate-general, before attaining the governorship.

[3] Pownall was sent over as secretary to Governor Sir Thomas Osborn of New York in 1753, and upon the latter's almost immediate suicide, travelled among the colonies. He attended the Albany Congress in 1754 and Braddock's council of governors in 1755. He was nominal lieutenant-governor of New Jersey from 1755 on, and for some months in 1756 was secretary extraordinary to the commander-in-chief in America, Lord Loudoun.

[4] Gage first came to America in 1754 under General Braddock. He became commander-in-chief in 1763 and remained continuously in the colonies until the Revolution, except for a visit to England from the summer of 1773 until the spring of 1774. The article in the *Dictionary of American Biography* (VII. 87) is incorrect in stating that he left for England in February, 1773. He was in New York as late as the following June 3, as his correspondence shows. Clarence E. Carter, editor, *The Correspondence of General Thomas Gage*, I. 354.

[5] See Frederic DePeyster, *The Life and Administration of Richard Coote, Earl of Bellomont*.

[6] *Acts and Resolves of the Province of the Massachusetts Bay*, I. 109, 174, 188, 395, 437; VII. 230.

testimony to the changed conditions since Bellomont was first received.[1] Most of the other Englishmen who ruled these provinces belonged to the upper middle class or to the country gentry. Andros was the son of a Guernsey gentleman and was himself a knight; Bernard and Pownall were members of old county families; Burnet was the son of the famous Bishop of Salisbury; Allen and Shirley, and probably Shute, came from London merchant stock.[2] Among the New Englanders, all but Phips belonged to the colonial aristocracy, proud of their ancestry and local prominence, but hardly to be considered the social equals of the leading English families. Phips was the only truly self-made man in the entire lot. Of a poor family from down-east Maine, he rose by an adventurous spirit, cleverness, and good luck to ultimate knighthood. Yet neither he nor the people over whom he ruled ever quite forgot his humble beginnings. New England's governors, then, were men of moderate position in the world. The salaries and the society there were not such as to attract the more giddy or impecunious sons of England's aristocracy, nor would the staid Puritans have wished them. Massachusetts had no governors like the Duke of Albemarle, *bon vivant* and crony of James II, who sailed off to his government of Jamaica in 1687 in his own private yacht, taking with him in his escort of frigates five hundred tons of household goods and one hundred servants.[3] Everyone realized that the New England sun would have shone but bleakly upon such exotic branches of England's great family trees.

The governors of Massachusetts and New Hampshire were comparatively well educated. While about one quarter of the chief executives of all the provinces matriculated at colleges or universities, New England's proportion was two thirds. Eight of the fifteen actually took their bachelor's degree at Oxford, Cambridge, or Harvard.[4] All but Phips among the

[1] Instead of being met upon arrival at Boston by the General Court, leading officials, and citizens, and escorted through the streets to an immediate induction, Gage found, when he reached Boston, May 14, 1774, that a town meeting was in progress, called to consider the news of the Port Bill. "The late Governor Hutchinson, The Cheif Justice, the Commissioners of the Customs, and the Consignies, were either at the Castle, or dispersed in the Country, not daring to reside in Boston. I Went to Mr Hutchinson and remained with him at Castle William till Preparations were made for My Reception in Boston, where My Commission Was read and Published in the usual Forms on the 17th Inst^{t}." Gage to Dartmouth, May 19, 1774, Carter, *Gage Correspondence*, I. 355. Cf. the account of the enthusiastic reception of Belcher in 1730 as given in the *Boston News-Letter*, August 6–13 (reprinted in large part in Sibley, IV. 439–440).

[2] The ancestries of most of these men are conveniently summarized in their biographical sketches in the *Dictionary of American Biography*.

[3] Colonial Office Papers 138: 5, pp. 245–246, 250, 254–255; *Calendar of Treasury Books*, 1685–1689, pp. 1258, 1463; Estelle F. Ward, *Christopher Monck, Duke of Albemarle*, pp. 273–278.

[4] The list, with the years of receiving the bachelor's degree, is as follows: Oxford: Bernard, 1733 (Joseph Foster, *Alumni Oxonienses*, I. 100); Cambridge: Shirley, 1714 (J. and

native sons could boast of Harvard degrees, though a supercilious don of an English university might think the boast an empty one. Still, the schooling given there was the best that the colonies had to offer at the time. The list of college graduates among the governors might be longer if Shute had not left Cambridge after matriculation to read law in the Middle Temple,[1] and if Burnet had not been removed from the same university by his father, the bishop, for idleness and disobedience.[2] But Burnet also read law in the Middle Temple, studied at the University of Leyden, and was later granted an M.A. at Cambridge.[3] As a fellow of the Royal Society he contributed papers to its *Philosophical Transactions* on such varied subjects as the mountains of Switzerland, an eclipse of a satellite of Jupiter, and a set of "Siamese twins" from Hungary.[4] He also published an essay on Scriptural prophecy,[5] and consequently perhaps ought to be included among the intellectual aristocracy. Three others are noteworthy for their literary achievements. Bernard was a versifier of sorts and gained some notice when he edited the Latin odes of his stepfather, Anthony Alsop.[6] Pownall not only put his justly famous *Administration of the Colonies* through six editions,[7] but also wrote extensively upon economics, topography, archaeology, and philosophy.[8] His philosophical work, indeed, deserves a closer examination than it has yet received from recent students of that subject. And lastly, but perhaps most noteworthy of all, Thomas Hutchinson devoted his spare

J. A. Venn, *Alumni Cantabrigienses*, IV. 67); Pownall, 1744 (*id.*, III. 389); Harvard: Dudley, 1665 (Sibley, II. 166–188); Belcher, 1699 (*id.*, IV. 434–449); Benning Wentworth, 1715 (*Harvard University Quinquennial Catalogue*, 1636–1930, p. 175); Hutchinson, 1727 (*id.*, p. 178); John Wentworth, 1755 (*id.*, p. 186).

[1] Shute was admitted at the Middle Temple, November 23, 1683. Venn, *Alumni Cantabrigienses*, IV. 72.

[2] T. E. S. Clarke and H. C. Foxcroft, *A Life of Gilbert Burnet*, pp. 426–428; H. C. Foxcroft, *A Supplement to Burnet's History of My Own Time*, pp. 511–512 (autobiographical extract).

[3] Venn, *Alumni Cantabrigienses*, I. 261.

[4] Burnet's papers in the *Philosophical Transactions* have the following titles: "On the Icy Mountains in Switzerland" (XXVI. 316); "Observations on the eclipse of the first satellite of Jupiter, in 1723, made at New York" (XXXIII. 162); "Account of a double-bodied child" (L. 315).

[5] *An Essay on Scripture-Prophecy, Wherein it is Endeavored to Explain the Three Periods Contain'd in the XII Chapter of the Prophet Daniel. With some Arguments to make it Probable, that the First of the Periods did Expire in the Year* 1715. [New York], 1724. This remarkable treatise demonstrates that the Kingdom of God was due to arrive in the year 1790. The Yale University Library copy was presented by the author to Samuel Johnson, the first Anglican minister in Connecticut, and later the first president of King's College (Columbia).

[6] *Aedis Christi Olim Alumni Odarum. Libri Duo.* London, 1752.

[7] London, 1764, 1765, 1766, 1768, 1774, 1777.

[8] Bibliographies of Pownall's writings are in the *Dictionary of National Biography*, and C. A. W. Pownall, *Thomas Pownall*, appendix, pp. 3–6.

moments for many years to that historical work for which we are all so much indebted to him.[1] Clearly, Massachusetts, which prided itself on its high level of education and intellectual activity, had a higher average of educated and literary governors than any other royal province.

On the other hand, the governors of these two strategically important provinces were for the most part deficient in military training or experience. While half the governors generally were men of military or naval rank, only three of the fifteen in Massachusetts and New Hampshire were professional soldiers. Andros had been a major,[2] Shute a brevet-colonel,[3] and Gage a lieutenant-general[4] before assuming civil office. Dudley, it is true, won the rank of colonel during King Philip's War, but, if questioned in a candid moment, would probably himself have admitted that the title should be construed only in a Kentuckian sense. Shirley also became a major-general and commander-in-chief during his administration, but he had had no military experience before coming to America, and perhaps the less said about his real generalship the better.[5] On the whole, the governors of New England were an unmilitary set, enthusiastic organizers when army expeditions were on foot, but devoid of that inner knowledge and understanding of military problems which usually come only from long years in camp and field. The appointment in 1774 of the one important soldier of the lot, Thomas Gage, was a compliment to the bellicose spirit of Massachusetts, but a compliment which the inhabitants would readily have done without.

Any attempt at exact comparison between the New England governors and those of other royal provinces as to motive in seeking office, personality, and general ability must inevitably result in failure. These things do not lend themselves to ready measurement, especially at a distance of several generations. Men must be considered individually against the background of their own time and environment. Only thus can sound conclusions be drawn.

We must lay aside any notion that these men were actuated by higher motives in seeking office than those that led others in England or the colonies to ask for political appointments. Whatever may be the ideals of

[1] *History of the Colony of Massachusetts Bay*, 1628–1691 (Boston, 1764); *History of the Province of Massachusetts Bay*, 1691–1750 (Boston, 1767); *History of the Province of Massachusetts Bay*, 1749–1774 (London, 1828).

[2] Charles Dalton, *English Army Lists and Commission Registers*, 1661–1714, I. 37, 75, 115, 119, 168–169.

[3] *Id.*, V, part ii, pp. 16–17; Dalton, *George the First's Army*, 1714–1727, I. 105.

[4] Promoted in 1770. War Office, *Army Lists*, 1772, pp. 2, 76.

[5] For a recent appraisal of Shirley as a military leader see Stanley M. Pargellis, *Lord Loudoun in North America*, especially pp. 134–135.

public service today, we are dealing with the eighteenth century, not the twentieth, and as historians we must be realists. In those days men sought political preferment primarily for the prestige, the power, the opportunities for advancement, and the money they might win thereby. Among these fifteen only one—Thomas Hutchinson—stands out as not definitely coveting the appointment as governor. Shortly before the Stamp Act tumults he was accused of being an engrosser of public offices, and there may have been some justice in the charge, for he was at that time lieutenant-governor, president of the council, chief justice, and judge of probate.[1] But the sacking of his house by the mob, the hostility of the Boston populace and its leaders, and, above all, the cares and responsibilities of the lieutenant-governorship after Bernard's departure seem to have cured him of the desire for higher office for its own sake. There is a certain ring of sincerity in the repeated statement in his letters to England that he hoped that someone else would be appointed to the burdensome governorship.[2] But when his commission came, he did not refuse it. He could have been under no illusions as to the difficulty and thanklessness of the task before him, and, as far as we can judge, he accepted the promotion, in part at least, in the hope of leading back to the path of loyal obedience the province which he so dearly loved.

No such thoughts of service above self are apparent in the efforts of the other native sons to win the highest office of their community. To Phips the governorship was the pinnacle of ambition. To return to the Massachusetts which had known his lowly youth, rich with the spoils of his treasure hunt, sponsored by no less a leader of the old régime than Increase Mather, knighted, and now royal governor—what more could the former ship's carpenter ask? To Joseph Dudley, also, the return as governor held out the prospect of personal triumph and vindication. Upon no other official, not even Andros himself, had the Puritans so heaped their reproaches and their wrath in the days of the Dominion as upon the pro-English son of their own former governor, Thomas Dudley. But when, after years of scheming,[3] the son returned, holding as governor the one office that would

[1] J. K. Hosmer, *Thomas Hutchinson*, pp. 66–68.

[2] For example, he wrote Hillsborough, March 27, 1770: "I shall faithfully endeavor to support such person [as might be appointed governor] according to the best of my abilities, and I think it not improbable that I may be capable of doing his Majesty greater service in the Province, even in a private station, than at present." *Id.*, p. 188. To Richard Jackson he wrote in the same month: "I find my constitution is not strong enough to bear so great a burden [as the governorship], and I hope the next vessel will bring us news of a person of weight and importance appointed to the government." *Id.*, p. 189.

[3] Dudley's efforts to win the governorship are fully described in Kimball, *Joseph Dudley*, chap. iv.

compensate him for the harsh treatment he had received, it must be said to his credit that he showed no vindictive spirit, but set himself to the task of providing for the public welfare as he understood it.

While Phips's and Dudley's very human motives in seeking appointment may arouse some measure of sympathy, the same cannot be said for Jonathan Belcher. Above all others he was an opportunist, seeking first of all his own political and financial advancement. A leader of the provincial group opposed to Governor Burnet, he was sent to England by the assembly to contest the royal demand that they provide the governor a permanent instead of an annual salary. Suddenly word came that Burnet was dead. Belcher, quick to see his chance, besought his own appointment to the vacancy on the ground that he alone could persuade the assembly to grant the required permanent salary.[1] And, to complete the estimate of his disinterestedness, it must be recalled that when as governor he failed completely to accomplish this result, he almost tearfully begged permission to accept the proffered annual grants on the ground that in any case "to take the people's money must be a punishment to them."[2]

Fortunately for New England no other governor was so frankly a time-server. Others were undoubtedly just as interested as Belcher in enhancing their own prestige and fortunes. But to most of the native-born governors, and notably to the Wentworths in New Hampshire, the office was but a logical step upwards for members of leading local families long prominent in the political and economic life of the community.[3] That most of them were really men of second-rate abilities is not to be denied—though Hutchinson is again a shining exception. But their mediocrity is only an-

[1] Hutchinson, *History of Massachusetts Bay*, II. 367; Sibley, IV. 438–439. In 1745, however, Belcher wrote to Newcastle: "I never sought the government of New England, but it was offered me." British Museum, Additional MSS. 32,704 (Newcastle Papers, XIX), fol. 547. Although he repeated this assertion in the following year (Add. MSS. 32,706, Newcastle Papers, XXI, fol. 292), the independent evidence runs overwhelmingly to the contrary.

[2] Belcher to the Board of Trade, June 12, 1731. *Acts and Resolves*, II. 633–634. Further light on Belcher's zeal for office-holding is shed by the letters and memorials with which he and his friends bombarded the British ministers in 1745 and 1746, pleading that the South Carolina governorship be given him after his removal from Massachusetts. Add. MSS. 32,704, fol. 547; 32,706, fols. 235, 292–293, 314–315.

[3] In a typical letter to Newcastle in support of Benning Wentworth's candidacy, Joseph Windham Ashe wrote, November 23, 1739: "I therefore would humbly recommend to Your Grace Benning Wentworth, Esq. one of His Majesty's council in the said Province of New Hampshire (Now in London) to be made Governor of His Majesty's said Province. I shall only mention to Your Grace that he was eldest son of the late Lieutenant Governor Wentworth of the said Province and to his capacity and integrity there can be no objection. He has been a very great sufferer by the Crown of Spain, but as to any pretensions he may have to hope for Your Grace's favour on this account, I must beg leave to refer Your Grace to Mr. Keene who designs to wait on Your Grace in his behalf so soon as his health will permit him to come abroad." Add. MSS. 32,692, fol. 475.

other illustration of what has long been recognized—that the second and third generations in New England produced few men who compared in stature with the first-generation settlers.

In time, hostility to the governors appeared largely because of the conservatism of their political and economic policies. They represented the Crown, and in their efforts to uphold the prerogative they came inevitably into conflict with the representatives of the popular point of view. Their natural allies were the wealthy merchants and landed aristocrats, whose economic interests were often directly opposed to those of the plebeian artisans and frontier farmers. The economic contests of the period were usually indistinguishable from the political struggles. In these engagements the governors were almost always found fighting on the side of the wealthier battalions. A notable exception was Pownall, who, for reasons partly political and partly temperamental, cultivated the popular party. In a courtly age he alienated the aristocrats of Boston by the carelessness of his dress and the informality and gaiety of his manner.[1] Hutchinson, then chief justice and lieutenant-governor, was disgusted, but John Adams, writing years later, called Pownall "the most constitutional and national governor in my opinion, who ever represented the crown in this province."[2] Several of the governors brought the popular leaders raging like hornets about their ears because of their conservative views on currency questions. Dudley and Belcher especially earned the undying hatred of the inflationists by their successful opposition to schemes for establishing land banks.[3] Hutchinson, too, gained his first political laurels when, as Speaker of the House of Representatives, he brought about, almost single-handed, the restoration of the Massachusetts currency to a specie basis.[4] In these days of loose and ill-digested talk of inflation and "baloney dollars," it is particularly easy to understand why disputes over currency and similar problems should have produced so much bitter feeling between men who sincerely believed that their opponents' policies would lead straight to economic ruin.

In fact, a broad survey of all these governors and their administrations leads definitely to the conclusion that the times in which they lived rather than the characters and capacities of the men themselves are chiefly responsible for the unsympathetic treatment which they have usually re-

[1] William Tudor, *Life of James Otis of Massachusetts*, p. 44; C. A. W. Pownall, *Thomas Pownall*, pp. 90–91.

[2] Charles F. Adams, editor, *Works of John Adams*, x. 243.

[3] Hutchinson, *History of Massachusetts Bay*, II. 206–208, 392–399; Kimball, *Joseph Dudley*, pp. 157–174; James T. Adams, *Revolutionary New England*, pp. 93–96, 154–160.

[4] Hutchinson, *History of Massachusetts Bay*, II. 435–440; Hosmer, *Hutchinson*, pp. 26–35.

ceived from historians. Few of them were first-class statesmen, though they might stand comparison with the governors elected in some of our States today. And, except for their lack of military knowledge, their background and experience put them, as a group, distinctly above the average of royal governors of their age. But from the nature of their office and the problems of their times they became storm centers for the economic and political conflicts of the most independent and articulate section of the colonial world. Even the best of them could hardly hope to emerge from the tenure of their trying office with reputations unscathed. Historically, the course of events was against them, for they represented a losing cause. The royal authority which they personified was finally driven from the land, and the popular factions which they opposed evolved into the successful party of a revolution. To the victors went the historical spoils. But now, with the passing of many years, whether we study the royal governors individually or as a group, we can see more clearly that they did not deserve all the abuse which has been heaped upon their memories.

Mr. Robert E. Moody read the following paper:

The Last Voyage of the *Province Galley*[1]

THE *Province Galley*, built in 1705 by the Province of Massachusetts Bay, was perhaps the best-known craft of her period in New England. She was in reality the province "navy," and, as such, was busily engaged during Queen Anne's War in the transport of troops and supplies, a duty for the performance of which she had been built. Her adventures in the service of the government have been told in detail elsewhere.[2] But the *Province Galley* passed into private hands at the conclusion of the war, and her subsequent history, though brief, is of considerable interest because of the unusual controversies which developed among her new owners. These controversies, annoying and expensive to the litigants, were fortunate ones for later times since because of them scores of papers have been preserved in the files of the Superior Court of Judicature,[3]

[1] The assistance of one of my former students, Miss Josephine Cobb, in arranging and summarizing the documents used in this article, entitles her to be credited with co-authorship of this paper.

[2] Harriet S. Tapley, "The Province Galley of Massachusetts Bay, 1694–1716," *Essex Institute Historical Collections*, LVIII. 73–88, 153–175.

[3] These are now part of the files of the Supreme Judicial Court.

which present a day-by-day picture of a trading voyage of considerable length in the early eighteenth century—a voyage typical of that of hundreds of vessels of the time carrying fish, New England's greatest treasure, from port to port through the Mediterranean, where they picked up other cargoes for London and home.

The description of this particular enterprise, interesting as it is from an antiquarian point of view, has even greater significance for the historian in that it introduces a series of legal battles in which the *Province Galley* became involved. These court cases show clearly that the "litigiousness" which Mr. Chafee has pointed out as a characteristic of the people of Massachusetts Bay during the 1670's[1] carried over to a later period. Further, the appeals from court to court and the writs of prohibition directed by the Superior Court of the province against the Court of Vice-Admiralty give a significant picture of the judicial structure of the provincial period, a phase of American colonial history too often neglected, involving conflicts between royal and popular institutions. The resistance of the colonial courts to the allowance of appeals to the King in Council and to the exercise of jurisdiction by the courts of vice-admiralty, with their crown-appointed judges and their lack of juries, cannot be more adequately illustrated than by the cases resulting from the voyage of the *Province Galley*, starting from Boston, May 17, 1714, and ending at the same port, April 6, 1716.

The owners of the *Province Galley* after she was sold at public auction by the province in 1713 were the mercantile firm of Oulton and Waldo, which held a three-fourths share, and four individuals, each of whom shared equally the remaining quarter interest. John Oulton was a Boston merchant of considerable experience, owner at one time of a warehouse on Corn Street, and later of one on King Street. He was a proprietor of Long Wharf and a participant in many shipping ventures.[2] His partner, Cornelius Waldo, then about thirty years of age, was the third of that name and had once been Oulton's apprentice.[3] The other four adventurers were Samuel Phillips, Jr., son of the bookseller; his brother-in-law, Arthur Savage, who was in turn a brother-in-law of Cornelius Waldo, and was to captain the vessel; John Caswall, a London insurance broker, whose interest was handled by Savage; and Francis Wainwright, a Boston merchant.

The owners shared not only the cost of purchasing the vessel—£1,582 7*s* 6*d*[4]—but also the expense of fitting her out for a European

[1] Our *Publications*, XXIX. xvii–xciv.

[2] Suffolk Files (hereafter cited as S. F.), 10,941; Boston Public Library MSS., 578.

[3] Waldo Lincoln, *Genealogy of the Waldo Family*, I. 69.

[4] *Acts and Resolves of the Province of Massachusetts Bay*, IX. 430.

voyage and of lading her with fish for market. Though called a galley, and provided with places for oars, she was a sailing vessel, having a mainmast and a mizenmast. During the war she had carried, as a transport, as many as a hundred men, but on this trading voyage her crew numbered between ten and fifteen.[1]

On March 20, 1713/14,[2] Savage cleared outwards from Boston for Marblehead, where he was to take on his cargo of fish—an ordinary procedure for Boston ships. The Reverend John Barnard, writing of Marblehead in 1714, says:

> . . . there was not so much as one foreign trading vessel belonging to the town [i.e., a Marblehead ship that traded to Europe], nor for several years after I came into it; though no town had really greater advantages in their hands. The people contented themselves to be slaves that digged in the mines, and left the merchants of Boston, Salem, and Europe, to carry away the gains. . . .[3]

This trade, however, like all others, had been greatly hindered by the war, and the *Province Galley* was one of the first vessels to undertake the European trip after the peace. Entering the harbor of Marblehead, the pilot, Robert Orange, anchored hard by the *Dragon*, a fishing sloop owned by John Stacey and others of that town. Warned by Savage that the *Province Galley* lay too near in case of a high wind, Orange shifted position.[4] On the night of March 31, 1714, a storm came up, and the *Dragon* was driven so close to the *Province Galley* that she fouled the ship and parted her own anchor cable. Let the records tell the story:

> . . . the man that was upon ye watch upon Deck [of the *Province Galley*] one Francis Lemontais called down ye Scuttle and said there was a Ship under our Borsprit and on board of us it being so dark and full of Snow could not discern at first what Vessel it was the Master ordered all hands up & Candles to be lighted in the Lantthorne all the cables being cluttered with trumpery out of the Hole we having gott it out of ye Hole in order to board our stoare of Fish we haile the Vessel and cauld on board for help to cleare her from us but there was not one person living to take care of her on board the Sloope. . . .[5]

Captain Savage did what he could in a bad situation. With less than half

[1] Savage's account book, S. F. 13,529 (45 and 46); deposition of Francis Lamontais, *id.*, 12,358 (13).

[2] *Boston News-Letter*, March 15–22, 1713/14.

[3] Samuel Roads, Jr., *The History and Traditions of Marblehead*, pp. 42–43.

[4] Apparently the *Province Galley* was secured by two anchors, the cable of one of which overlapped the cable which moored the *Dragon*. Depositions of Eleazar Ingalls and Peter Stevens, S. F. 12,358 (11).

[5] Deposition of Francis Lamontais, *id.*, 12,358 (13). The remainder of the account is from *id.*, 10,921; deposition of Robert Orange, *id.*, 12,358 (12) and 28,863; deposition of John Pittman; deposition of Nathaniel Greenwood, *id.*, 11,153 (5).

his men aboard, he was handicapped, but he "bent a Hauser to her s[d] cable & Rode her the s[d] Sloop at the stern of his s[d] ship. . . ." To no avail, for "whilst they were providing for another Hauser to fasten her the s[d] Hauser dealt & She went on Shoar & Sunk. . . ."[1] Other ships were also, it may be said, in difficulties at the same time. Thus even before the *Province Galley* had begun to load her cargo, she had become involved in a damage suit which was to come up again and again during the next five years in the Massachusetts courts.

After this unfortunate accident, the ship's master proceeded to his chief business—taking on his cargo. Marblehead harbor was in those days the gathering place for many small craft returned with their ladings of dried and cured fish. From them Captain Savage made his purchases, buying in small quantities from at least fifteen of the ships then in port. The total amount secured was 3,077¾ quintals: 2,883 of codfish, and the rest haddock. For the codfish twenty-four or twenty-five cents a quintal was the standard price; for the haddock, seventeen cents. The "master's privilege" allowed Savage to store away sixty quintals in the "Lazarette," besides which he carried nearly five hundred quintals on his own account, for which he paid freight. A great deal of the cargo was "Cape Sable Sloop-fish," of which it was later charged that 1,327 quintals were "bad refuse salt burnt sloop Cape Sable codfish" which were "ketched in the fall before having been already culled several times before," and which perhaps "came out of Capt. Vibert's ship, being bad and relanded."[2] This portion of the cargo may indeed have been previously shipped to Europe and returned, not finding a market.[3] According to Samuel Phillips,[4] the responsibility for taking on the poor fish (apparently it was loaded while Savage was absent in Boston) was John Oulton's, since he had insisted that one man should buy the whole cargo, and had himself assumed the task. Though Savage was not inexperienced in such matters, he later denied that he knew any of the present lot to be of inferior quality, being "wholly ignorant of this sort of Cape Sable fish laying up all Winter."[5] Out of the subsequent quarrel over the quality of the fish grew another lawsuit of the series with which the *Province Galley* is identified.

[1] S. F. 10,647 (5), deposition of Ephraim Landin. Others testified that Savage could have saved the *Dragon* had he pleased. *Id.*, 9,960.

[2] Of these, 118½ quintals were Colonel Legg's; 312 came from Hill's sloop, 110 from Martin's sloop, 251½ from Masefield's sloop, 311 from Waters's sloop, and 224½ had been brought by land from Cape Anne. *Id.*, 11,153 (3); 13,529 (16–17).

[3] Concerning the fish, see *id.*, 11,084; 11,151; 11,153; 13,259.

[4] *Id.*, 11,151 (15). Phillips bought ten quintals on his own privilege and sold it for $8 a quintal. He thought Savage could have done the same if the fish had been as good.

[5] *Id.*, 11,151 (3).

On May 11, 1714, Savage received his sailing orders from the owners, as follows:

Sr:

You being Comander of our Ship the Province Galley Do desire you to Order all things to be ready for your Sailing with the First Fair wind and weather from Marblehead. When you are out at Sea with her make ye best of your way for Gibralter, But in case you should meet with contrary winds & the same will favour your going to any adjacent port to Lisbon or Bilboa without loss of time, then try your market & advising with Messrs Ferd^o^ Wingfield & Comp^a^ and any other Gent^n^, If you should see cause to Stop there by an encouraging Market for your load of fish and a Freight for London, do your utmost for the Sale of your Fish and a good freight for London . . . If you proceed for Gibralter afores^d^ there take the best advise you can get for a Market for your Cargo of Fish which We pray you to Follow either for Barcelona Alligant Sardinia or Leghorn, The Port you first arrive at and fix on for the disposal of your cargo you must advise of to M^r^ Jn. Tidcombe of London and write *him what Port you design next*, and desire him to make Insurance on our part to what value you think needful not exceeding ¾ of ye whole of Our adventure, *From one of these ports* We hope you will meet with a good freight for London & if need be for promoting of the same lay out such a part of ye n^t^ proceeds of our Fish in things proper as may be necessary for the giving you a quick despatch from that Port to London, From ye Port you sell your Fish at We desire you to get good Bills of Exch^a^ for London to the value of Oulton and Waldo's part, *save such a Sum as you think needful to keep for ye Service of ye Ship or her freight in proportion to everyone's part* . . . From thence [London] We hope to have you here before Winter sets in, if you have no prospect of this We hope you will have some Encouraging Freights in the Streights and then to contrive to be here early next Spring or in ye mean time if you have a good Opportunity to our advantage for ye Selling of ye Ship or Stores you may do it and remit ye produce to every ones freinds, on which head you shall be duly considered, Be as good husband of all things as you can and make as quick dispatch at from and to every place as is possible wishing you all prosperity, We rest S^r^

Yor Freinds to Comand. . . .[1]

Savage's reply is in the form of a bill of lading dated Boston, May 12, 1714:

Shipped by the Grace of God in Good Order & well Conditioned, by John Oulton and Cornelius Waldo of Boston on their own proper Accompt and Risque upon the Good Ship Called the Province Galley whereof is master under God for this present Voyage Captain Arthur Savage and now rideing at Anchor in the Harbour of Marblehead And by Gods Grace bound for Lisbon Bilboa Gibralter or Leghorne to Say One hundred Twenty Eight Q^talls^ & 13/16 of Dry Haddock . . . [here follows a list of the consignment] goes consigned to the Said Capt Savage for him to dispose of at either of the s^d^ places . . . where it will fetch the

[1] S. F. 10,941 (2); 13,529 (19).

greatest price . . . (the Danger of the Seas only Excepted) . . . So God Send the Good Ship to her Desired Port in Safety Amen.[1]

But before the *Province Galley* could sail, delay threatened Captain Savage in the form of a writ of attachment served May 14, 1714:

. . . to Answer unto John Stacy Marriner John Edgcomb Fisher-Man, Tabitha Woods Widow & Inholder all of Marblehead in the County of Essex & Capt. James Pitts of Boston in the County of Suffolk Merchant, and All owners of the Sloop Dragon . . . In a plea of Tresspass . . . which is to the damage of the sd John Stacy John Edgcomb Tabitha Woods & James Pitts as they say the Sum of Two hundred pounds. . . .

Savage immediately put in his plea of "Not guilty in Manner and form," and John Oulton went bond to the amount of £200 for Savage's appearance at the next Inferior Court of Common Pleas, to be held in Salem in June.[2] Freed, and with never a doubt of Oulton's ability to avoid damages in the suit, Savage sailed from Marblehead, May 17, 1714, and set his course for Europe.[3]

On board the *Province Galley*, besides the captain and Samuel Phillips and their wives, there sailed Peleg Wiswall[4] of Boston. A graduate of Harvard College in the Class of 1702, he later became one of the teachers of the Old North Grammar School of Boston. For a time, however, he followed the sea and was once captain of a letter of marque. But on this voyage he was listed as chaplain, though he may also have served as co-pilot since he had had previous experience in the Mediterranean. In all the litigations in which the *Province Galley* became involved, his name appears with colorful bits of testimony, and the excerpts from his Journal reveal many a fact not noted by Captain Savage either in his account book or in his letters to his employers.

The captain met with fair winds on his outward passage, and in about three weeks reached Fayal, a port of the Azores, where he put in for water—but for nothing else, he was careful to say, not even "a Kegg of Wine so much for reason of Dispatch. . . ."[5] The wind having died down, he decided to make a longer stop "by reason of the Calm fearing should be on the Rocks otherwise intended to stand off and on till could get some

[1] S. F. 13,529 (9).

[2] *Id.*, 11,037 (1, 2, 3).

[3] "Observations taken from our orders to Captain Arthur Savage and from his proceedings in the Province Galley," *id.*, 13,529 (34). The original is in the Knox Papers, Maine Historical Society.

[4] Edward M. Saunders, *The Life and Times of the Rev. John Wiswall, a Loyalist Clergyman of New England and Nova Scotia;* William A. Calnek, *History of the County of Annapolis*, pp. 633–634.

[5] S. F. 10,941 (1, fol. 4).

water on board. . . ."[1] Extracts from Wiswall's Journal give the information that Savage here "Had a little trade with an East India Merch[t]man, and the 10[th] day Sailed with her out of that Port with a designe to Enlarge his Trade with her But the weather prevented that Intention. . . ."[2] Thus ten days passed while Savage was getting his water and having his little trade, of which his account book gives no report. He noted only his charges for watering the ship, for fees to the consul and to the governor for clearing his ship, and for greens and drink for his men.[3]

Finding it impossible to sail with the merchantman, he proceeded to Cadiz, where he arrived June 19.[4] Here he went on shore and consulted with other traders, one John Short in particular, as to the best market for his fish. He was advised that Tarragona was the best place for a trade. Accordingly he wrote to John Tidcombe, as he had been instructed, asking for insurance to the amount of £4,600 on "ship & Cargoe . . . as high up as Leghorn." In his letter Savage reported that his voyage had been uneventful save for the loss of one man overboard. This sailor and six others whom he discharged at Cadiz he replaced by hiring others "in their Room much better," at 25*s* a month.[5] Further delay was useless, the captain having been disappointed in his expectation of passengers. He therefore paid his bills for cannon powder, blacksmith work, wines, and anchorage,[6] and sailed into the Straits on June 26.[7]

Faced with the serious business of discharging his cargo, Captain Savage intended for Tarragona, but, as he relates, he was forced first to sail for Mahon for fear of pirates. "I having no Mediterranean pass stood over to Mohone to get one (having run the risque of my self & family to be made Slaves of amongst the Turks for want of one). . . .[8] Writing later of this voyage, which on the way took him to Alicante in Valencia, and to Majorca, he said:

We wrote you from Cales p Cap[t] Macfedris we run a Great risque from thence having no pass that was good, thence we arrived at Alicant where I could not Sell our Fish for 5½ doll[rs] p Quintal then was resolved to get a pass of our Admiral at Port Mahone [Minorca] (running the risk of Algier without it in our way We touched at Majorca where could not get Six doll[rs], thence to Port Mahone where by a pure accedent We got a pass of the Admiral he arriving the next day

[1] S. F. 10,941 (1, fol. 4).

[2] "Observations," *id.*, 13,529 (34).

[3] Account Book, June 9, *id.*, 13,529 (45 and 46).

[4] Wiswall's Journal, in "Observations," *id.*, 13,529 (34).

[5] Letter to Tidcombe, June 25, *id.*, 13,529 (27).

[6] Account Book, *id.*, 13,529 (45 and 46).

[7] Wiswall's Journal, in "Observations," *id.*, 13,529 (34).

[8] *Id.*, 10,941 (1, fol. 4).

(off of the Harbours mouth for the Bomb Ketches) that I arrived with much difficulty he gave me one. . . .[1]

From Wiswall one again learns of a passenger whose presence Savage did not record. Nor did Savage report that at Alicante there was talk of selling the ship, "though little came of this talk."[2] Savage's accounts show that he sold 300 quintals of fish at Mahon "at a good price," and that he "Remitted ye money."[3]

At Salo (near Tarragona), on July 19, he disposed of more of his cargo. ". . . I proceeded and sold quick [he says] for 6/4½ and could have raised it to seven dollars if the fish had not proved much salt burnt."[4] It was because of the bad fish, according to Samuel Phillips, that they were compelled to "goe from Port to Port and so dispose of small or great quantitie according to the Necessity of the People. . . ."[5] From Salo, where the Spanish would no longer trade with him, Captain Savage went to Mataro in Catalonia (nineteen miles northeast of Barcelona). At this port, according to the deposition of John Board, " . . . it [the fish] riseing so bad the Capt was threatened with his Life. . . ."[6] Rosael Amundia, to whom Savage had contracted to sell his cargo here, had no intention of paying the full price for refuse fish. He declined to take more than 350 quintals of it, and Savage set him free of his contract on his raising the price to $6 a quintal for the amount bought.[7]

Though somewhat disconcerted by the quality of his cargo, Savage was alert to the possibilities which offered themselves at Barcelona. That city was being besieged by the Duke of Berwick in behalf of Philip V of Spain. Should it be taken, Savage saw a market for codfish, salt-burnt or no. Only 1,500 quintals remained to be disposed of, but these were the worst of the lot. Keeping an eye out for pirates, Savage lay to off Barcelona, whence he wrote: "We intend to lye a Small time to see whether its Impossible to take Barcelona or not. . . ."[8]

Barcelona fell after a defence of futile valor. It was stormed, September 11, 1714, by Berwick's troops and "when sword, fire and lust had done its worst,"[9] the city, desperately in need of food, was opened for trade. On

[1] S. F. 13,529 (31), letter to Oulton and Waldo, September 13, 1714.

[2] Wiswall's Journal, in "Observations," *id.*, 13,529 (34).

[3] *Id.*, 10,941 (1, fol. 4).

[4] *Id.*, 13,529 (31), letter to Oulton and Waldo, September 13, 1714.

[5] *Id.*, 13,529 (35), deposition of Phillips.

[6] *Id.*, 11,151 (12); deposition of Peleg Wiswall, *id.*, 11,151 (5).

[7] *Id.*, 13,529 (30), letter written from Mataro, August 27, 1714; letter to Shallet and Crowe, August 27, 1714.

[8] *Id.*, 13,529 (30).

[9] *Papers of the Castilian Club on the War of the Austrian Succession*, Nos. 24, 25.

September 17, Savage entered the harbor and lost no time in selling his refuse fish. ". . . We made an End of our Cargoe," said Samuel Phillips, "the people being in absolute Necessity, being almost Starved. . . ."[1] The fish brought the remarkably good price of $6¼ a quintal. With responsibility finally lifted from his shoulders, Savage determined to remain for a time where he was. It was necessary to make some small repairs on the ship, and to restock her with provisions, which, now that the most urgent needs of the people were over, could be purchased. The sailors were also in need of a stop-over, being troubled with scurvy. For them the captain bought all kinds of fresh vegetables, raisins, herbs, pepper-spice, cinnamon, eggs, onions, "pruins," greens, and fowl.

For these expenses Savage retained $2,000 of the proceeds from the sale of the fish. Outlays for repairs are noted under the following heads: sulphur for the ship's bottom, oakum for galleys, grooming and graving ship, thrums (untwisted rope), a "skin of Tarr to burn her bottom," help of men in "heaving ship down," hammer and caulking iron, shovels, tallow for the ship's masts, heaving the ship's keel out, and "to a Spanyard mending our Iron tiller." There had been other expenses at Barcelona in connection with the sale of the fish. Savage notes: "To a Cryer crying ye Fish," "to 4 Soldiers Guard^{g} the fish from Theives ashore 7 days," "to a hatt gave Paul Beck to Encourage others to buy fish," and—a frequent charge—"excessive dear drinks" for prospective customers.[2] Wiswall also mentions the purchase of a "parcell of small arms," which may have been either for speculation or for protection.

Shallet and Crowe, who were Oulton and Waldo's agents at Barcelona, advised Savage to try for a load of barley at Mahon to be delivered in Lisbon.[3] Of this Savage wrote to both John Caswall and John Tidcombe: "There laying then at Barcelona sundry English Ships which could not get a Tun of freight . . . I eagerly Embraced with abundance of Thanks to these Gent^{n} for giving me ye first offer. . . ."[4] Wiswall reports that there had previously been some talk of the "Carriage of Guns for the King of Spain along the Coast."[5]

The *Province Galley* finally left Barcelona on October 13, intending to go to Mahon. Savage relates that in this passage he was retarded by calms and by contrary easterly winds so that he was obliged to put in at Majorca to wait for a favorable wind. There he was advised that no barley was to be had at Mahon.[6] But he did learn that salt from Iviza, the third

[1] S. F. 13,529 (35), deposition of Phillips. [2] Account Book, *id.*, 13,529 (46).
[3] *Id.*, 10,941 (1, fol. 5). [4] *Id.*, 10,941 (1, fol. 6).
[5] Wiswall's Journal, in "Observations," *id.*, 13,529 (34).
[6] *Id.*, 10,941 (1, fol. 6).

in size of the Balearic Isles, was in demand at Monaco.[1] Accordingly he made a contract with Don Francisco Fornaro for the Prince of Monaco.[2] Samuel Phillips says: "But before we had laded the Ship the Cap[t] found that this Fornaro had plaid him a trick and had sent away one of the Bills which he gave as Security to Genoa which might be paid as far as he knew before our arrival *so here our contract was again broken.*"[3]

The *Province Galley* was then beset by winds, "a hard Levant," and "was beat back to and continued at Marseilles 5 days . . . very leaky."[4] Savage also put in at Toulon (thirty miles southeast of Marseilles) but could not sell the salt. At Villafranca, in the Duchy of Modena, on November 22, Savage sold the cargo, bringing the owners "817 doll[rs] of Genova or 1122 doll[rs] Cattalan . . . amounts to £251 15 8 sterling."

> . . . but the Ship continued very leaky, was obliged to Sail for Genova to heave keel out being the nighest port when got out of the harbour the same day met with an Extream hard Levant was afraid to beat the Ship . . . was obliged to bear away again for Ivaca [Iviza], lost my [long] boat by the hard wind & Sea in our passage where We loaded a second time (being very leaky as much as could keep her above water) and so returned up again for Genova where We hove keel out again and drove upwards of a hundred Trunells in y[e] Ships bottom. . . .[5]

This second load of salt Savage sold to the Intendant of Nice, Count Tovini de Quincinet, for $965 or £216 sterling.[6] It was now the middle of January, 1714/15. Finding that salt sold as well as any cargo he was likely to find, Savage decided to return to Iviza again. Thence he was proceeding when, on February 20, off Antibes (Savage writes it "Antebo"), he met "a very hard gale of wind could not carry a Knott of Sail, the Extremity of the wind carryed away my Maintopsail yard and Topmast at Once . . . [and] lay beating up and down. . . ."[7] During the rest of February and a part of March, the *Province Galley* touched at several ports, having repairs made at Toulon and delivering passengers, but never, according to the accounts, taking in any freight. The captain did, however, ship a stranded Dutch doctor, paying the landlady twenty *livres*. He seemed disinclined to proceed to Iviza, reasoning that he had been so long away—eight weeks—that the salt might be gone or the island captured. Finally putting into Mahon for advice, he learned from the governor that "the Spaniards had not taken the Island but that all the Salt was Sold off to y[e] Dutch & that no freight at all [was to be had] on y[e] Christian Shore. . . ."[8] Then Savage was beset with a desire to sail to Iviza anyway to sue the com-

[1] S. F. 13,529 (32), letter to Crowe and Spikeman, October 20, 1714.
[2] *Id.*, 13,529 (35), deposition of Phillips.
[3] *Id.*
[4] *Id.*, 10,941 (1, fol. 6).
[5] *Id.*, 10,941 (1, fols. 6, 7).
[6] *Id.*, 13,529 (52).
[7] *Id.*, 10,941 (1, fol. 7).
[8] *Id.*

missioners "for breach of Contract & my Earnest for a Load of Salt. . . ." Convinced of the foolishness of this idea by the arguments of his officers, "it not being worth while for the Lucre," and feeling now no necessity of remaining on the Christian side, Savage "stood over on the Barbary shore downward for Algier. . . ."[1]

The *Province Galley* reached Algiers, March 18, 1714/15, but she did not remain long among the Moors. Her master found trade costly because of the numerous gifts demanded by officials at every port. Interpreters were necessary for the simplest of transactions; nor was the gain so lucrative as Savage had anticipated. At one place he sold a few bags of rice; at Arzeu he took on his third and last load of salt. With this cargo he returned to Cadiz.

From Cadiz he proceeded to Amsterdam, arriving there in the middle of June. Here he took a house for himself and his wife and spent the next six weeks in the city while the *Province Galley* lay idle in the harbor. He disposed of the cargo of salt, "though in a bad trade"; he took on board a small cargo of earthenware and iron pots, but freight for London there was none. Among the items in his account book, furnishing local color to his stay in Amsterdam, is the following: "To a Scoot-boat to draw ye Ship over the Pompass," though an item of greater concern to Oulton and Waldo was the bill for "a new suit of Sails except a mainsail."[2]

It was August 1, 1715, when the *Province Galley* reached London. There Savage reported at once to the owners' agents. From them he received several letters which had been forwarded to Leghorn, a port which he had never visited. These communications were to the effect that the captain should end his voyage, sell the boat if possible, or return to Boston with the first freight he could secure. If Savage had seemed reluctant to leave Amsterdam, he was even less eager to embark for Boston. He discharged his sailors and sent Peleg Wiswall up the river on a collier with sundry goods for safe-keeping, but he found no freight for Boston. When winter came on, the captain found that the *Province Galley*, with many other ships, had been caught in the ice of the river, or, as he reported it, was "frozen in the pool," by which he meant that portion of the Thames between London Bridge and Cuckold's Point. His winter in London was now assured. He attended the execution of lords Derwentwater and Kenmure when they were beheaded on Tower Hill, February 24, 1715/16.[3] He was summoned into the Marshalsea by one of his sailors for non-payment of wages.[4] But there is little else to show how his time in London was spent. When the ice broke up, he was, according to his report, "the

[1] S. F. 10,941 (1, fol. 7). [2] Account Book, *id.*, 13,529 (46).
[3] 5 *Coll. Mass. Hist. Soc.*, VII. 77 (Sewall's Diary). [4] S. F. 12,343.

first boat to move in the pool, breaking three anchors in the ice." He sailed from the Downs, March 8.

Early in April he arrived in Boston. The *Boston News-Letter* of April 2–9 says: "Friday last the 6th Currant arrived here Capt. *Arthur Savage* in the Province Galley about Five Weeks Passage from London." Expecting a chilly welcome from the owners, he had prepared aboard ship a letter of apology, dated March 28, 1716:

I know we have made a bad Voyage, but I can truely say it was oweing wholly to the Weakness of the Ship—if she had been tight as other Ships & I not Obliged to heave her twice keel out in The Streights . . . I should have got what you would have desired . . . I Desire that there may be no Differance between us upon Acco^{t} of freindship as well as blood—& believe when you Materially weigh every thing you'l find you have not that reason w^{h} you now Think perhaps to have . . . [to complain of the voyage].

The case of the sloop *Dragon* against the *Province Galley* was particularly on his mind.

As to the Damages of the Sloop that drove on board of us at Marblehead I have heard that they recov'd damage against us—I have Complained hereof to the Governour and Judge Advocate who you may Expect very speedily over when I hope we shall have Justice done us in the Court of Admiralty or by the Govr and his Councill.[1]

Thus we see that while in London Savage must have had conferences with Governor Shute and Judge Menzies,[2] newly appointed to their respective positions.

The letter availed nothing. Immediately on his arrival in Boston, Oulton and Waldo tried to remove Savage as captain of the *Province Galley*, but Savage took refuge in the haven of admiralty jurisdiction, petitioning the new judge-advocate, John Menzies, for a decree in his behalf. The decree, handed down May 14, 1716, declared that Savage could not be dismissed except on payment to him of his interest in the ship. The decree reads:

[The Judge] having heard seen & Considered ye Lybell . . . [and] well & riply [*sic*] advised & also haveing regard to ye Civil & Rhodian Laws & ye other Maritime Laws of those Countrys most renowned for trade . . . finds y^{t} ye Choice of a Mast^{r} depends upon ye Major p^{t} owners & y^{t} he is to be continued or altered in ye same manner. & y^{t} where any alteration is intended it ought to proceed after due Notification to every owner . . . y^{t} there assent or dissent may be known . . . he cannot be dismissed except upon paym^{t} to him of ye value of his p^{t} in ye ship . . . and also of ye wages y^{n} due to himself and p^{d} out by him to Sailors & therefore decerns

[1] S. F. 13,529 (33).

[2] Menzies arrived in Rhode Island, December 24, 1715 (*Boston News-Letter*, January 9–16, 1715/16), and in Boston, January 4, 1715/16 (5 *Coll. Mass. Hist. Soc.*, VII. 70).

and decrees Ar: Savage to renounce and resign his interest as Mast^r . . . upon ye Plaint^ff payment to him at ye same time ye sum of one hundred ninety pounds thirteen Shillings & four pence, as ye price & value of his 1/16 p^t. . . .[1]

Suspecting that Savage's voyage had been a losing one to the owners only and not to the captain,[2] Oulton and Waldo commenced suit against him, alleging breach of contract and claiming £2,000 damage. The charges against Savage are far too long to quote in full. The owners found fault with everything he did from the time he put into Fayal for water. That he neglected to write to them of all his transactions

. . . does not look with a good face . . . and does leave room enough for us to think he on this head does not design to do us Justice if he can help it. . . . he hath Improved ye Ship in the Streights from and to several parts (without any advantageous freight Except to himself) for near 12 months. . . . All this and more he told us he could have done by virtue of our Orders and have carried ye Ship to ye East Indies if he pleased: We are ready to believe that no man, except A. SAVAGE would have had ye Assurance or Confidence to have told us so . . .[3] He had orders to Sell the Ship . . . this he would not do We Suppose because then he must have parted with his pleaseure Boat as he hath made her . . . When we Consider his proceedings We do not wonder at his not giving us an Acc^t of all things; For time and Distance hath made him Believe the Ship & Cargo to be his own so is not accountable to any body else if he did not thus Believe, Surely he would have followed our Ord^rs in all things and returned home long before now to have proved himself an honest man, One that had a proper value for his Friends Imployers & their Interest, which we think now will be very hard for him to do.[4]

Their chief grievance against Savage was his disregard for them as principal owners of the boat. They repeatedly asserted the charge that he forgot their rights "while frolicking from port to port for his Lady's curiosity," and that "the profitts (we doubt not) only turns to his private advantage or the satisfaction of his & his Ladys Curiosity."[5] The courts, however, decided that the damage done to Oulton and Waldo by Savage's "frolicking" was £360, a sum considerably less than the £1,052 9*s* which Oulton and Waldo submitted in their accounts.

Oulton and Waldo also figured from Savage's accounts that he owed them £356 13*s* 2⅜*d* and hence sued him for £500. In the lower court they

[1] S. F. 11,150 (5).

[2] These suspicions were in part based on the accusations of Jonathan Caswall. See his letter from London, February 29, 1715/16 (read April 13, 1716).

[3] On this point Savage later remarked: "Their insipid pun upon the word Savage discovers them to be as low and poor in their wit as they are now in trade and business." S. F. 12,343 (3).

[4] "Observations." The quotation here is from the original in the Knox MSS. at the Maine Historical Society. It differs slightly from the copy in the court files.

[5] *Id.*, 13,529 (34).

were awarded £184 12*s* 3*d*. Not satisfied, they appealed, and the decision was confirmed. But Savage was not through. He petitioned the General Court for the right to reopen the case on error, and then asked for £220, which he claimed was due him. Oulton and Waldo went him one better by asking for a review before King in Council, but it was denied. In May, 1717, the two parties agreed to arbitrate. After some difficulty in getting commissioners who would serve, the arbiters awarded Savage £34 2*s* 8*d*. Oulton and Waldo then brought a petition for review which the Superior Court, its patience exhausted after three and a half years of litigation, dismissed in October, 1719, as illegal.[1]

The suit for damage to the sloop *Dragon* also remained unsettled for a number of years, travelling from court to court. The owners, Stacey *et al.*, first received a judgment of £200 and costs against Savage. Because of Savage's absence in Europe when the decision was given, this sum had had to be paid by his bondsman, John Oulton. Oulton had then promptly sued Savage for the sum and had won his case, levying against the latter's real estate. On his return to Boston in 1716, Savage immediately entered suit against Oulton and Waldo, who were, he claimed, liable as part owners for their proportionate share of the damages. The case in one form or another came before the Superior Court alone eight times before its settlement in November, 1718. Savage once attempted to bring the case before the Court of Vice-Admiralty but was prevented from obtaining a judgment there by a writ of prohibition issued in July, 1716, by the Superior Court. Even when he finally won back £164 18*s* 3*d* of the first judgment of £200 against him, he was not satisfied but asked for a review of the case, which, naturally enough, was denied him.[2]

These are the major cases fought out before the province courts. There were several others involving smaller amounts and an infinite variety of charges and counter-charges.[3]

Of more fundamental importance in these cases is the material found which is illustrative of the struggle between the provincial courts and the Court of Vice-Admiralty. To make this entirely clear it will be necessary to review briefly the general basis of the controversy.

The Massachusetts charter of 1691 reserved admiralty jurisdiction to the Crown but did not define its limits.[4] The first two laws of the General

[1] Records of the Superior Court, 1715–1721 (MS.), pp. 152, 204, 186, 40 (in that order); S. F. 12,343 (twelve papers which have to do with the breach of orders case); *Acts of the Privy Council, Colonial Series*, 1680–1720, p. 721; *Journals of the House of Representatives of Massachusetts*, I. 132; II. 180.

[2] Records of the Superior Court, 1715–1721 (MS.), pp. 5, 142, 159, 193, 204, 209, 220; *id.*, 1700–1714, p. 309.

[3] See Savage's list of his complaints, S. F. 12,343.

[4] *Acts and Resolves*, I. 19.

Court establishing the Superior Court of the province were disallowed because they stated that all matters of fact were to be tried before juries—a clear attack on admiralty jurisdiction, where juries were not used.[1] The third law, allowed by the King in Council, established the Superior Court with the same powers which the Court of King's Bench, Common Pleas, and Exchequer in England "have or ought to have."[2] One of these powers was the right to restrict actions of the admiralty courts by the issuance of writs of prohibition. Thus the long struggle between common-law courts, with their jury trials, and the maritime courts, with more arbitrary rules, was transferred from England to America and became one more line of controversy between provincial politicians and royal officials.

Consequently, the use of writs of prohibition was often complained of by Judge Menzies[3] of the Court of Vice-Admiralty in New England, and is one of the complaints specifically dealt with by Jeremiah Dummer in his *Defence of the New England Charters*, published in 1721 (pp. 29–32). His defence was, first, that the power of the Superior Court was not based on the charter at all but on a legislative act approved by the king, and, second, that the use of writs was wholly beneficent and necessary in order to uphold the privilege of Englishmen to be tried by jury under the common law. Dummer also argued that the right to appeal home to the Court of Delegates from the vice-admiralty decisions was not effective because judges were not likely to participate in any moves which would tend to limit their own powers. In his notes to these remarks Dummer quotes Coke and gives numerous references to English precedents for the restriction of admiralty jurisdiction by the common-law courts.[4]

Savage had considerable faith in the Court of Vice-Admiralty, partly perhaps because of his acquaintance made in London with Judge Menzies. As has been seen, he was prevented from getting the sloop *Dragon* case into the admiralty court by the use of a writ of prohibition. Other petitions to the same court followed. Oulton and Waldo refused to pay Savage's claims for expenses after their unsuccessful attempt to dismiss him from his position as captain, claiming that until their appeal in the matter to England had been decided, they were not to be held responsible for the

[1] *Acts and Resolves*, I. 72–76 (chap. 33, 1692–3, disallowed August 22, 1695); 283–287 (chap. 9, 1697, disallowed November 24, 1698).

[2] *Id.*, pp. 370–372 (chap. 3, 1699–1700).

[3] J. Franklin Jameson, *Privateering and Piracy in the Colonial Period*, p. 318.

[4] Dummer's position was concurred in by the king's attorney-general, Mr. West. In a report to the Council of Trade and Plantations, June 20, 1720, on admiralty jurisdiction, West argued that wherever the common law is in force, the people must have protection against illegal extension of admiralty power. *Calendar of State Papers, Colonial, American & West Indies*, 1720–21, pp. 53–55.

debts contracted. Judge Menzies, therefore, ordered the *Province Galley* sold to meet these claims. Oulton and Waldo petitioned that the sale, originally scheduled for September 12, 1716, be delayed.[1] When the sale was finally announced for September 21, the selectmen of Boston refused to allow it to take place in the Town House, where the court sat, on the ground that it was "Forrein from the declared Intention in Erecting thereof, and such a President may be of Ill Tendency."[2] So it was some time later that the ship was finally sold, at Selby's coffeehouse.

In the admiralty court Oulton and Waldo were charged by the advocate, James Smith, with "insulting the Honour and Dignity of His Majesties Crown and Government and opposing the Authority of the Courts of Judicature" by affixing in the Town House a paper, the contents of which we do not now know.[3] They were fined £25 each by Judge Menzies. Outraged, the indignant merchants obtained a writ of prohibition from the Superior Court restraining Judge Menzies from the exercise of this jurisdiction over a matter which had occurred within their province. Sheriff Payne duly read the prohibition to the advocate, and offered to read it to Judge Menzies, but "he chose to read it himself."[4] Oulton and Waldo then sued Smith for £200 damage for his part in having them haled before the admiralty court. But Smith won in both the Inferior and the Superior courts.[5]

The cases continued. On September 4 and 5, 1716, Captain Savage filed libels in the admiralty court asking for decrees which would hold the *Province Galley*, or the sum for which she might be sold, liable for the

[1] *Boston News-Letter*, August 27–September 3, September 9–16, 1716.

[2] *Report of the Record Commissioners of the City of Boston*, XIII. 9.

[3] Possibly it was a notice stating their side of the case. [4] S. F. 11,150 (10).

[5] Records of the Superior Court, 1715–1721 (MS.), p. 202. Smith protested to Governor Shute concerning his arrest (*Cal. St. Pap., Col., Amer. & W. I.*, 1719–20, pp. 25–29) and later was suspended by him from his position as advocate-general. By way of revenge, according to John Bridger, Surveyor-General of the King's Woods (a position for which Smith had been an applicant), Smith went home loaded with complaints against the governor (*id.*, pp. 178–179). These complaints may, in part at least, be found in Smith's anonymous pamphlet *Some Considerations on the Consequences of the French Settling Colonies on the Mississippi* (London, 1720). In a reprint of this pamphlet published by the Historical and Philosophical Society of Ohio in 1928, the editor states that internal evidence discredits Smith as the author, since the latter was judge of the admiralty court of South Carolina, while the author of the pamphlet shows intimate knowledge of New England. In reality, of course, Smith meets precisely all the conditions for authorship laid down by internal evidence. A copy of this pamphlet is in the Boston Public Library. A reply to it, *Copy of a Letter by a Gentleman in New-England, to his Friend & Correspondent at London, containing Remarks on a late Pamphlet Entitled, Some Considerations* (Boston, 1720), is in the John Carter Brown Library. I am indebted to Professor Zechariah Chafee, Jr., of the Harvard Law School for his detailed references to the 1934–35 Report of the John Carter Brown Library, which discusses both these pamphlets.

claims of disbursements and tradesmen's bills. The judge decreed that the ship should be responsible for the bills. From this decree Oulton and Waldo appealed, as so often before, to the common-law courts. Writs of prohibition were issued, and all matters rested pending the arrival of a decision from England regarding admiralty jurisdiction.

It is not possible from the records available in Boston to state the final solution of this conflict over admiralty jurisdiction. An entry in Sewall's diary under date of August 4, 1719, reads: "Finish'd Examinations on the Comissions from Doctors Comons, relating to Mr. Oulton and Waldo on the one part; and Capt. Arthur Savage on the other. Received £5 a-piece; having Spent Ten Days in the Service."[1] From this one assumes that the Court of Delegates in England, to which admiralty appeals were carried, had commissioned the judges of the Superior Court to make examination into the controversy between the merchants and the captain. But Sewall does not relate the outcome. Judge Menzies wrote from Boston to the Secretary of the Admiralty, July 20, 1721:

> Since I transmitted to you Copies of my Decrees with reference to Captain Smarts's Seizure when in this place, I have not given you the trouble of any Information of my Proceedings, or Complaints. The Provincial Judges in Colonel Shute's Government and I having come to a better understanding in relation to Prohibitions, by his Countenance in Complyance with their Lordships Order.[2]

These orders, judging from the numerous complaints against prohibitions, must have been to the effect that the common-law courts were not to encroach on admiralty jurisdiction. At any rate, there was a marked falling off in the number of prohibitions. On the other hand, too, Menzies seems not so aggressive in his conduct of the court. An examination of the existing records of the Massachusetts Court of Vice-Admiralty indicates that writs of prohibition were seldom used after this time. But unfortunately, because of the destruction caused by the Stamp Act riots, the complete files of the court do not now exist. It is therefore difficult to trace the history of the conflict of jurisdiction in Massachusetts.

The career of the *Province Galley* after she was sold at auction was brief. She sailed again, late in October, 1716, from Long Wharf under a new captain, Othniel Beale of Marblehead. Before the end of the year she had gone to pieces, a wreck, on Block Island. In her last days she was called the *Shute Galley*, having been rechristened in honor of the new governor.

[1] 5 *Coll. Mass. Hist. Soc.*, VII. 226.

[2] Jameson, *Privateering and Piracy*, p. 318. Smith, in the "Abstract of a Letter concerning the Officers of Admiralty in N," contained in his pamphlet noted above, vigorously attacked the integrity of Judge Menzies, who, he implied, was subservient to the governor. He argues that the governor should be divested of his power as vice-admiral.

What are the respective merits of the claims of the captain and the merchant-owners? There is something to be said on both sides. Oulton and Waldo were grasping and unreasonable. Their money profits on the voyage were £233 9*s;* the ship had a new cable, a new hawser, a new long boat, new rigging, and new sails; and, besides, they had a cargo of goods consisting of 25 casks of figs, 125 dozen slates, 80 marble mortars, 3 barrels of anchovies (32 gallons each), 4 large Parmesan cheeses, 1 large marble table, and 6 marble hearths. The ship was sold because of their own obstinacy in refusing to buy the captain out.[1] Further, it was they who persisted in dragging out the cases to great length.[2]

On the other hand, the captain was negligent in the matter of the fish; he was careless and stubborn in the case of the sloop *Dragon;* he was a time-waster; he disobeyed orders; he picked up a pretty penny on his own account, but at the owners' expense, by carrying freight and passengers, besides profiting by a considerable cargo charged to himself. He may even have picked up the lion which was exhibited at his house after his return to Boston.[3] Perhaps one should merely say that the voyage was an enterprise in which Yankees were trying to get the better of each other. At any rate, may we not hope that the captain and his lady received in due measure the broadening influence that should have come from "frolicking from port to port"?

Illustrative Documents

Number 1

Writ of Prohibition[4]

Province of ye Massachusetts Bay } *ss* GEORGE by the Grace of God of Great Brittain, France and Ireland KING, Defender of ye faith, &c^a^

To JOHN MEINZIES Esqr Judge of our Court of Admiralty for ye s^d^ Province & JAMES SMITH Esqr Advocate & AMBROSE VINCENT Gentl^n^ marshall (& to all other ye officers) of ye s^d^ Court GREETING—

WHEREAS John Oulton & Corn^s^ Waldo by their Petition & Suggestion to our Justices of our Superiour Court of Judicature for the Province afores^d^ Septr ye Eleventh Cur^t^ Have declared That they have been unjustly vexed &

[1] S. F. 12,343; 10,941 (3 to 12).

[2] 5 *Coll. Mass. Hist. Soc.*, VII. 170.

[3] *Boston News-Letter*, November 26–December 3, 1716. According to Savage's advertisement a "Lion of Barbary" was to be exhibited by William Nichols, who was Savage's servant (S. F. 11,171, 11,236).

[4] S. F. 11,150 (10).

grived [*sic*] by the Judge of the s^d^ Court of Admiralty, for a matter of fact arising within & Comitted in the Town of Boston within the County of Suffolk not Cognizable in the Court of Admiralty vizt for affixing up a paper in the s^d^ Towne of Boston, Supposed to be a Libel, for wch they have been fined after an Exorbitant manner ye 6th of Septr Instant, as by their Suggestion more fully may Appear, we therefore being willing to Mentaine ye Laws & Rights of our Judicatories & Courts of record & being unwilling our Liege people wth Delays ag^st^ ye same to hurt. We Comand & firmly enjoyne you & every of you That you meddle not farther wth the s^d^ plea or Cause nor molest or cause to be molested, ye s^d^ John Oulton & Corn^s^ Waldo, in the Cause afores^d^ in the s^d^ Court of Admiralty, neither attempt or presume to attempt anything more therein, untill our s^d^ Justices have advised & consulted there on, at the next Superiour Court of Judicature to be holden at Boston for the County of Suffolk afores^d^, on the first Tuesday of Novr next, Where you the s^d^ John Meinzies or any other Person may be presant (If you please) To Shew forth & Mentain (If he can) That ye afores^d^ Cause, or plea, is Cognizable in ye s^d^ Court of Admiralty.

Witness Wait Winthrop Esqr at Bristoll the Eleventh day of Septr In the third year of our Reign Anno: Dom: 1716

Seal Elisha Cooke *Cler*

Suffolke ss *Boston, Septr 12th 1716*

I this day read the Original of the within Prohibition unto Ambros Vincent Gent. Marshal of the Court of Admiralty & then delivered him a Coppy thereof Attested—

I also read the Original unto James Smith Esqr Advocate of the s^d^ Court of Admiralty & then delivered him an attested Coppy thereof—

I also offered to read the s^d^ Original unto John Minzes Esqr Judge of the s^d^ Court of Admiralty but he chose to read it himselfe & after his reading the same I left the Original with him.

Wm Payne *Sherif*

Number 2

Writ of Prohibition in the Sloop *Dragon* Case[1]

Province of the Massachusetts Bay } *ss* GEORGE by the Grace of God of Great Brittain, France & Ireland King Defender of the Faith &c^a^

To John Menzies Esqr Judge of His Majestys Court of Admiralty in the Province afores^d^, Advocate, Register Marshall & any & all other the officers of the Said Court of Admiralty and To Capt Arthur Savage of Boston Marriner Com-

[1] S. F. 11,150 (13).

mander now or late of the Ship Called the *Province Galley* & one Sixteenth p^t^ owner Thereof GREETING.

WHEREAS It is Shewed to our Justices of our Superiour Court of Judicature at Cambridge within & for the County of Middlesex on the last Tuesday of July last past by the Grievous Complaints of John Oulton, Cornelius Waldo & Francis Wainwright of Boston afores^d^ Merchants that by the Constitution, Laws & Usage of this Province the Court of Admiralty is not to Intermeddle with things done within the Province, but only matters & things done on the Sea.

Nevertheless the Said Arthur Savage not Ignorant of the Premises, but designing the Said John Oulton, Cornelius Waldo, & Francis Wainwright against the Laws of the Province & diverse Statutes in that Case made & provided, Unjustly to vex & Disquiet: The Cognizance of which Plea doth to our s^d^ Superiour Court Specially belong & appertain, the Said John Oulton, Cornelius Waldo & Francis Wainwright did draw into the said Court of Admiralty at Boston aforesaid on the Twenty first day of May now last past, before you the Said John Menzies for the payment or Contribution of their Proportion or Severall Shares of the Sum of Two hundred thirty Eight pounds thirteen Shillings & eleven pence, Supposing the Fact on which the s^d^ Sum did arise to be within the Jurisdiction of the Court of Admiralty: Whereas in truth the same was done within the Body of the County of Essex & fully heard & determined before our said Justices of our s^d^ Superiour Court of Judicature.

We therefore Prohibit you the said John Menzies and all other the officers of the Said Court of Admiralty as well as the Said Arthur Savage That the afores^d^ Libell of the Said Arthur Savage against the Said John Oulton, Cornelius Waldo & Francis Wainwright Upon the premises, You do not further hold nor Attempt to hold or proceed any further thereon in our Contempt, as you will answer the Contrary at y^r^ Peril. Witness WAIT WINTHROP Esqr at Boston the Sixth day of August in the Third Year of our Reign Annoque Domini.

*Boston Aug^t^* 6^t^ 1716

A true Coppy of the Prohibition this day read by me to Judge Menzies and his officers in the Admiralty Court &c.

p Wm PAYNE *Sherif*

Number 3[1]

Libel against *Province Galley*

To the Honble JOHN MENZEIS Esqr Judge of Admiralty in New England or to his Lawful Deputy Libel & Information of ARTHUR SAVAGE Mariner against the Ship *province Galley* now lying in the Harbour of Boston in New England

WHEREAS the Ship Province Galley by your Hon^rs^ Decree pronounced in Court the 31st of August last past upon an Information exhibited in

[1] S. F. 11,150 (12).

behalf of the Mariners lately belonging to the s^d^ Ship was adjudicated & ordained to be sold publickly on the 12th Instant for payment of wages due to the s^d^ Mariners and Satisfaction for damages by them sustained as by the decree itself more fully and clearly may appear And Whereas Arthur Savage Master of the s^d^ Ship during the time he hath served in that Employment hath pursuant to his Duty at several times especially since the 11th of April last made several Disbursements aparticular And whereof in distinct Articles is fully & truely stated in a schedule hereunto annexed (which it is pray^d^ may be taken and Considered as a part of this Libel & that due reference may be had thereto) for the safety & service of the s^d^ Ship amounting in all to the Sum of Twenty Seven pounds Eight Shillings eleven pence and the said Arthur Savage humbly conceiving that the s^d^ Ship is liable to answer the disbursements & demands in the s^d^ schedule set forth & expressed according to Law and the practice of this Honble Court It is therefore humbly pray^d^ in his behalf that upon due consideration had of the premises your Hono^r^ would be pleased by your definitive Decree to ordain the s^d^ Ship to be Liable as above and by Citation Issued out of Court to order all persons concerned as Owners in the Same to appear in Court at a certain day to Show Cause why Sentence should not pass accordingly—conform to the Laws Civil & Marine Usages of Admiralty and the Tenour of this Libel. *Sic Subscrib^r^* JA. SMITH.

filed Septr 4th allowed to cite
to Septr 5th *sic subscribitur* J. MENZEIS J: ad.

A true Copy Exam^d^ p EDWARD WEAVER, *d^ty^ Reg^r^*

Number 4[1]

Petition to Superior Court against Admiralty Jurisdiction

Province of the Massachusetts Bay } *ss* To the Honble His Majest^ies^ Justices of the Superior Court of Judicature for the s^d^ Province &c^a^

The Humble Petition of JOHN OULTON and CORNELIUS WALDO both of Boston merch^ts^ and three quarter part owners of the Ship *province Galley* now Lying in the harbour of Boston Humbly sheweth

THAT your Petitioners have the Last week been prosecuted In the Court of Admiralty at Boston In and by Severall Libells or Informations at the Suit of James Smith Esqr and Capt Arthur Savage and Thereupon Sundry orders and Decrees have been made Ag^st^ your Petitioners by the Judge of s^d^ Court Copies of all which are hereto annexed. But for as much as your Petitioners are Informed that the Severall matters things and Charges alleged & Contained In the s^d^ Libells and so In the s^d^ Orders or Decrees are by no means tryable in any Court of Admiralty—But only in the Courts of Comon Law and that therefore your Petitioners

[1] S. F. 11,150 (2).

ought not to be Compelled to Comply with or Answer the Same In the s^d^ Court of Admiralty for the reasons or Suggestions hereunto also annexed.

Your Petitioners therefore most Humbly pray your honours who are the keepers of the Laws and Liberties of this his Majesties Province that you would be pleased to Consider of the Severall Suggestions which your Petitioners have offered against the Severall Libells and proceedings of the s^d^ Court of Admiralty and order a writ of Prohibition to the s^d^ Court of Admiralty Directing them to proceed no further on the s^d^ Libells and to stay Execution on s^d^ orders or decrees untill the Same have been fairly & fully heard and Argued before Your honours at Such Time and place as shall be appointed to know whether the s^d^ matters and Causes are Cognizable In the s^d^ Court of Admiralty or not. Your Petitioners being ready to give Security to Prosecute their s^d^ Complaint and to make out by Law that the afores^d^ matters and Causes are Tryable only In the Courts of Common Law

And Your Petitioners as In duty bound Shall Ever Pray

JOHN OULTON
CORNELIUS WALDO

Septem^r^* 10^*th^ 1716

Bristol Septem^r^* 11^*th^ 1716

Received & filed p ELISHA COOKE *Cler:*

Present Sam^ll^ Sewell, Nath^ll^ Thomas, Benjamin Lynde, & Addington Davenport Esqr four of the Justices of the Superior Court of Judicature of the Province in the County of Suffolk.

Ordered that a writ be Issued out to stay all further proceedings in the Matter of the fine of Oulton & Waldo til the Judges have advised at the next Superiour Court of Judicature to be held at Boston the first Tuesday of Novem^r^ next.

Paul Dudley Esqr & Jno Valentine Gent

Recognized in £50 that s^d^ Oulton & Waldo prosecute their Petition & Suggestions & pay all Costs in Case they cannot maintain the Same.

Att^tt^ ELISHA COOKE *Cler*

The Severall & Respective Suggestions of John Oulton & Cornelius Waldo against the Proceedings of the Court of Admiralty at Boston on Severall Libells there Exhibited Ag^st^ Them and first as to the Libell of James Smith, Esqr for Affixing a paper In the Town House of Boston.

Your Petitioners suggest

1st That it being a matter of fact Transacted In the Town of Boston within the body of the County the Court of Admiralty Cannot have Cognizance of it for the Libell itself alleges it to be done at Boston.

2^d^ for that by the Laws of England and of our own Province all Scandalous papers or Libells are Expresly to be Tried by the Court of Common Law.

3 for that by the very Decree itself the fines Impos^d^ are not to the King as all fines ought but to be Dispos^d^ of in an arbitrary way as the s^d^ Court shall Direct. And then the Place of Commitments is very Uncertain for it is Either to the Tolbooth which Is somewhere In Scotland or Else your Petitioners must be sent to a prison house of Boston.

4 for that by the words of the Libell your Petitioners are Charg[d] with Insulting the Honour and Dignity of his Majesties Crown and Government and opposing the Authority of his Courts of Judicature which Sounds like an Information at the Suit of the King's Attorney Gen[l] or a presentment of the Grand Jury for Certainly matters relating to the Crown and Government or any Court of Judicature Belong to and must be Tried In the King's Courts of Common Law for that the Court of Admiralty Is no Court of Record.

2 As to the order or Decree of the Court of Admiralty for Selling of the s[d] Ship Province Galley The Petitioners Suggest

1 That they offer[d] their severall parts or proportions of the Sailors waiges In order to prevent the Sale of the s[d] Ship and therein did all that they Could be obliged to by any Law whatsoever and for this they are ready to produce good authority in the Law.

2 For that by a former Decree of the Court of Admiralty the s[d] Ship Is in Custody of the marshall of s[d] Court from which Decree your Petitioners appeal to the High Court of Admiralty In England and have given bond to prosecute their Appeal and the papers are accordingly Transmitted for England and yet now Pendente Lite before the s[d] Appeal be Determined the s[d] Judge has ordered the Ship to be Sould which would as well Confound the s[d] Decree as your Petitioners Interest In s[d] Ship which Is very Considerable.

Number 5[1]

Decision of Superior Court in Admiralty Dispute

Court of Assize and General Gaol Delivery began at Boston, November 5, 1717

John Oulton and Cornelius Waldo of Boston in the County of Suffolk Merchants who as well as for Our Soverign Lord the King as for themselves in this behalf prosecute &c. . . . *Appellants*

agst

James Smith of Boston in the County Afores[d] Esq[r]. . . . *Appellee*

From the Judgment of an Inferiour Court of Comon Pleas begun and held at Boston for and within the County of Suffolk on the first Tuesday of July Being the Second day of the said Month Annoque Domini 1717

IN a plea of the Case for that Whereas at a Parliment held at Westminster In the Thirteenth year of the reign of King Richard the Second amongst other things It is Accorded and Assented in these words (Viz[t]) That the Admirals and their Deputyes shall not Meddle from thenceforth of any thing done within the Realme but only of a thing done upon the Sea as it hath been used in the time of the Noble Prince King Edward Grand Father of our Lord The King that now is, And

[1] Records of the Superior Court, 1715–1721 (MS.), pp. 202–203.

Whereas also by one other Act of Parliment held at Westminster in the Fifteenth year of the reign of the said King Richard the Second It is Declared Ordained and Established in these words Viz^{t} That of all manner of Contracts pleas and quarrells and of all other things done riseing within the body's of County's as well as by Land as by Water and also Wreck of the Sea the Admiral's Courts shall have no manner of Cognizance power nor Jurisdiction, but all Such manner of Contracts Pleas and quarrells and all other things riseing within the body's of County's as well by land as by water as afore and also Wrecks of the Sea shall be tryed determined Discussed and remedyed by the Laws of the Land and not before nor by the Admiral nor his Leiutenant in any wise And moreover Whereas by one other Act of Parliament held at Westminster the Second Year of the Reign of King Henry the fourth, It is amongst other things Contained in these words Viz^{t} Item Whereas in the Statute made at Westminster the Thirteenth Year of the said King Richard amongst other things it is Contained that the Admirals and their Deputyes shall not intermeddle from thenceforth of any thing done within the realme but only of a thing done upon the Sea according as it hath been duely used in the time of the Noble King Edward Grand Father to the said King Richard, Our said Lord the King Will & Granteth that the said Statute be firmly holden & keept and put in due Execution. And more over the Same Our Lord the King by the Advice and Assent of the Lords Spiritual and Temporal and at the Prayer of the said Comons hath Ordained and Stablished that as touching a pain to be Sett upon the Admiral or his Leiutenant that the Statute and the Comon Law be holden against them And that he that feeleth himself grieved against the form of the said Statute Shall have his Action by Writ grounded upon the Case against him that doth so persue in the Admirals Court and Recover his double damages against the Pursuant, And the same pursuant shall incurr the pain of Tenn pounds to the King for the pursuit so made if he be Attainted: As in and by the said Several Acts of Parliament more at large it doth and may Appear Whereupon the said John Oulton and Cornelius Waldo who as well for our said Soverign Lord the King as for themselves in this behalf prosecute & Complain that the said James Smith on the Fifth day of Sep^{t} In the third year of his Majestyes Reign at Boston aforesaid in the Court of Admiralty then held before John Menzies Esqr Judge of the said Court did Sign file and prosecute a Libell or Information against the said John Oulton and Cornelius Waldo for a pretended Libell or Contempt against the said Court of Admiralty And in the prosecution of the s^{d} Information the said James Smith Unjustly and Contrary to law did Cause the said Plaintiffs to be arraigned at the Barr of the said Court and also to be Fined the sum of Twenty five pounds each altho if any Such Libell or Contempt had been Comitted by the said Plaintiffs against the said Court of Admiralty it was done at Boston within the body of the County of Suffolk afores^{d} and not upon the Sea or within the Jurisdiction of the said Court of Admiralty which is in Contempt of our s^{d} Soverign Lord the King and to the greivous damage of the said John Oulton and Cornelius Waldo and against the form of the Statutes aforesaid, Whereupon the said John Oulton and Cornelius Waldo say that they are the worse to their damage as they say the sum of Two hundred pounds, At which said Court Judgment was rendered

after mature Advisement hereon, That the Writ or process shall Abate and the Defendant recover his Costs.

Both parties Appeared the Writ Judgment reasons of Appeal and all things touching the same being fully discussed—It's therefore Considered by the Court that the former Judgm[t] be affirmed and the Appellee be Allowed Costs of Courts.

The Editor, on behalf of Mr. Fulmer Mood, presented by title the following paper:

Henry Robinson

and the Authorship of the Bahama *Articles and Orders* 1647

At the last meeting of this Society I communicated the text of an anonymous broadside, printed in 1647, presumably at London: *Articles and Orders, made and agreed upon the 9th Day of July, 1647.*[1] The piece relates to a projected colonial venture to be undertaken in the Bahama Islands. There is no clue as to the identity of the writer. Yet, because the intellectual content of the document is so rich and so "advanced," it has seemed that an effort to determine the authorship is worth while.

The method that has been followed is simplicity itself. The ideas contained in the broadside have been grouped into categories and analyzed, and the findings compared with the opinions of various contemporary schools of English thought. Thus it has been possible to eliminate several sources from consideration, to narrow the circle to one segment of opinion, and finally to bring forward the name of one particular person as the likely candidate for authorship.

The ideas dealt with in the *Articles and Orders* may be classified under five headings: religious, political, legal, military, and economic.

The author of the broadside repudiates the position of ecclesiastical uniformity, rejects the idea of religious persecution, and upholds in firm fashion the theory of toleration. He establishes it as a rule of conduct to be followed in the projected Bahama colony that there be "no names of distinction or reproach, as *Independent*, *Antinomian*, *Anabaptist*, or any other cast upon any such for their difference in judgement. . . ." He believes that spiritual knowledge unfolds itself and illuminates the individual soul

[1] See above, pp. 78–86.

by a logic all its own, that revelation is progressive, and that, as trade and government flourish under religious toleration, so do they suffer in its absence.

Such a pronouncement of friendliness for Independents and sectaries helps at once to circumscribe the area in which the unknown author moves. One may feel safe henceforth in excluding from consideration Roman Catholics, Anglicans, and Presbyterians. It is in the group of Independents and sectaries that one must seek him out. The current champions of toleration were Independents like John Goodwin and Henry Robinson, and Levellers like John Lilburne and William Walwyn.[1] The idea of progressive revelation of religious truth is found clearly expressed, among other places, in a tract of 1643, *Liberty of Conscience:*

> . . . though a Christian live never so long, yet he both may, and ought still to grow from grace to grace, and from knowledge to knowledge, continually ayming, and endeavouring, untill he arrive to a perfect man according to the measure of stature and fulnesse of Christ, in both which respects an inquisition or persecution for matters of Religion may not be tollerated: First, because it would as much as in us lyes, still withold such saving truth and knowledge as yet undiscovered, and unto which we are to attaine by degrees only, for not any of them but at first sight and hearing, is accounted heresie to most men, and much adoe there is before we will imbrace it. . . .[2]

The same writer goes on to observe that in France men of breeding are careful to raise no unnecessary questions about religious matters, but that in England it is common for Protestants to reproach one another with terms of abuse like "Puritan," "Separatist," "Presbyterian," or "Independent."[3] The broadside is like an echo of the spirit of this remark.

William Walwyn, a friend of the English sectaries, expressed the identical position the same year when he wrote:

> Great is the power of love, for love makes men to bee of one mind: and what can bee too strong for men united in love? . . . I doe not meane that you should marke

[1] William Walwyn published *Some Considerations tending to the undeceiving those, whose judgements are misinformed* (1642) and *The Power of Love* (1643). John Lilburne wrote copiously on the topic. John Goodwin wrote *Theomachia* (1644) and other tracts. Henry Robinson published *Liberty of Conscience* (1643) and numerous other pieces on this theme. For the attribution of the Walwyn tracts, see William Haller, *Tracts on Liberty in the Puritan Revolution*, I. 121–127; for that of the Robinson tract, see Sir Charles H. Firth's short essay in *English Historical Review*, IX. 715–717.

[2] The idea of the progressive revelation of religious truth is expressed in the writings of Thomas Goodwin, Roger Williams, Milton, Cromwell, Ireton, Henry Robinson, and others. An article by Arthur S. P. Woodhouse, "Puritanism and Liberty" (*University of Toronto Quarterly*, IV. 395–404), and another article by the same writer (*id.*, pp. 483–513) are of more than usual interest in connection with the substance of the present topic. The quotation from Robinson given in the text is taken from the edition published by William Haller, *Tracts*, III. 166.

[3] Haller, *Tracts*, III. 157.

those, that are different from you in judgement, with any ridiculous or reproachfull names: but my advice is that you marke those that make divisions amongst you, and those are they that have invented a name of reproach for every particular difference in judgement. . . .[1]

Soul liberty is to be established in the Bahamas. It is clearly stipulated in the prospectus that the jurisdiction of magistrates in the colony "shall reach onely to men as men." It is understood that the projected settlement will be a Christian community. Planters and servants are to be religious folk, subject in civil affairs to their government, but free to worship as they choose. From one point of view the *Articles and Orders* partakes of the nature of a plantation covenant. It unites men who are devoted to a common purpose for the prosecution of civil ends. Since magistrates are denied power to regulate the religious life of the people, the religious folk are obliged to organize their churches outside the cognizance of the State. Thus the principle of the separation of Church and State is plainly implied. The plantation covenant, in the civil sphere, complements the church covenant in the ecclesiastical sphere.

A kind of test, applicable to servants as well as freemen, restricts membership in the projected colony: those persons who are qualified by reason of their belief in Jesus Christ, who walk, according to their lights, in all godliness, justice, and sobriety, may be admitted. All servants who are Christians are eventually to be eligible for certain benefactions. The text seems to imply that non-Christian servants are excluded from such gifts. In any case, it is plain that the base of Bahamian society was to be not secular but, as far as possible, religious. The presence of the principle of the separation of Church and State indicates that the unknown author of the plan, if not himself a sectary or Independent, stood in a close, sympathetic relation to those groups.[2]

A further indication of the Christian quality of the Bahama experiment is to be seen in the provisions in the broadside for educating, or at least training, the Indians in the teachings of Jesus. Such a provision reflects a well-defined contemporary interest often discussed in London at this time. It appears, then, that the writer has familiarized himself with this discussion, and has absorbed its substance into his own thinking. As he seeks to apply in a practical way the best resultant of Walwyn's *Power of Love*, one may conclude that his purpose does as much credit to his heart as to his intelligence.[3]

[1] *Haller, Tracts*, II. 299.

[2] The idea of the separation of Church and State was quite new at this time. Charles Borgeaud, *The Rise of Modern Democracy in Old and New England*, p. 156; George P. Gooch and Harold J. Laski, *English Democratic Ideas in the Seventeenth Century*, p. 73.

[3] Puritan ministers on both sides of the Atlantic were interested in the conversion of the

The store of political ideas contained in the broadside is indeed rich. The author begins by adapting to his own uses the traditional corporate form of business organization. He is dealing with the business corporation, created to regulate profit-making activities on tropical islands, but the traditional shell is filled with a content of new life. This new life is, by and large, the republican philosophy and the republican spirit. The writer has no liking for the principle of hereditary monarchy. He boldly terms his newly fashioned polity a "Re-publick." So it is that in this projected colony one sees the shadow of that coming event which was to end monarchy in England and replace it by a commonwealth. The *Articles and Orders* was drafted a year and a half before Charles I lost his head and his crown: it is thus, in a measure, prophetic of the future.

The fundamental law of the proposed Bahama republic is embodied in a written constitution. In so far as this document is a plantation covenant, it requires that every person who proposes to settle in the new community shall be obliged, by subscribing his name, to give his consent to all the provisions of the *Articles and Orders*. In so far as the document establishes authority, apportions functions, affirms rights, and restrains the exercise of powers, it is an organic law, and, in this instance, a written constitution. This was an age when the waters of institutional experiment and constitutional theory ran fast indeed. No more than seven years had passed since Charles I had called the Long Parliament. Already innovations were making themselves felt in the world of traditional political forms. The unknown author of this plan satisfies himself with a legislature of one chamber. Many months were to pass before England abolished the House of Lords. He is plainly, in this respect, a friend to innovation. And he unhesitatingly accepts that radical doctrine of the day, the sovereignty of parliament. He endows his Bahama legislature, as will shortly appear, with full power. Thus he reduces to practice in a colonial polity one of the practical teachings of parliamentary activity since 1640. Obviously the creator of this set of institutions was no royalist. He represented the immediate future, not the recent past, of England and English political experience.

It would be rash to assume, however, that this author stopped at no political radicalism, for certainly he knew where to draw the line, and he drew it at a point easily perceived. It so happens that there was going on in

Indians. In several New England tracts, e.g., [Thomas Shepard], *The Day-Breaking, if not the Sun Rising of the Gospel with the Indians in New-England* (London, 1647), the matter is discussed. Mayhew and Eliot were at work among the Indians by 1646, and this tract was published in April of that year, only a few months before the Bahama broadside. The movement came to a head in 1649 when parliament incorporated the so-called New England Company, the purpose of which was to promote missionary work among the Indians of that region.

England at this time a vigorous dispute concerning the right to vote. When it was asked who were entitled to exercise the suffrage, two sharply different answers were heard. The conservative reply was that only property owners should be allowed this privilege. The radical reply insisted that every able adult male should have the right. The issue was in full evidence in the army debates of 1647,[1] and, indeed, earlier still. In 1646, Thomas Edwards, no friend to sectaries and radicals, had declared the position of the army extremists to be this: "That, seeing all men are by nature the Sons of Adam, and from him have legitimately derived a naturall propriety, right, and freedom, Therefore . . . all particular persons in every Nation . . . ought to be alike free and estated in their naturall Liberties, and to enjoy the just Rights and Prerogatives of mankind. . . ."[2] First among these rights was that of a voice in electing members of parliament. The army democrats argued that government rested on the consent of the governed. Rainborow and Wildman urged the principle of universal suffrage. "I thinke its cleare," declared the former, "that every man that is to live under a governement ought first by his own consent to putt himself under that governement; and I doe thinke that the poorest man in England is not at all bound in a strict sense to that government that he hath not had a voice to putt himself under."[3] One could easily multiply similar expressions of opinion.

To this philosophy of natural right was opposed the property theory of the suffrage, the position which affirmed that only those with a "stake in society" should have a vote in determining the common concerns. Ireton, a leader among the Independent grandees, spoke for the conservatives:

> For my part I thinke itt is noe right att all. I thinke that noe person hath a right to an interest or share in the disposing or determining of the affaires of the Kingdome, and in chusing those that shall determine what lawes wee shall bee rul'd by heere, noe person hath a right to this, that hath nott a permanent fixed interest in this Kingedome; and those persons together are properly the Represented of this Kingedome, and consequentlie are to make uppe the Representors of this Kingedome, who taken together doe comprehend whatsoever is of reall or permanent interest in the Kingedome.[4]

Thus in 1647 the issue was clearly stated, but for the moment neither Levellers and army democrats on the one side nor Independent grandees on the other stubbornly insisted on pressing matters to a conclusion. In the autumn of 1647 two significant paper schemes were drawn up as a basis for the discussion of the liberties of Englishmen wearied by a horrid civil war, yet neither in the *Heads of the Proposals* nor in the *Agreement of the People*

[1] Charles H. Firth, editor, *The Clarke Papers*, I. l–li, lx–lxiv.
[2] *Id.*, p. lxii. [3] *Id.*, pp. lxii–lxiii. [4] *Id.*, pp. 301–302.

was mention made of the suffrage qualification. The alliance between the two groups was so vital to the safety of each member of the combination that the problem was prudently passed over. But in 1653, after the Levellers had been crushed, and the Independent grandees were in the saddle, able to shape institutions and requirements to their own liking, the *Instrument of Government* incorporated in its eighteenth clause the "stake in society" theory that Ireton had defended some years before. The stipulation reads that "all and every person and persons seised or possessed to his own use, of any estate, real or personal, to the value of £200, and not within the aforesaid exceptions, shall be capable to elect members to serve in Parliament for counties."[1]

This conservative stand on the suffrage question is anticipated in the *Articles and Orders* of July, 1647; and thus one deduces that the author of the document, however experimental and innovating in some of his schemes, was at bottom a firm believer in the rights of property. The broadside reads: "That the present Adventurers, and all other persons, who within the space of one year now next ensuing, shall bring into the publick stock, the sum of 100*l* shall be admitted and reckoned into the number of the first *Adventurers*, their number not exceeding one hundred persons." The sum required is just half that exacted in the *Instrument of Government* of 1653, but, even so, £100 was sufficient to exclude the great mass of persons from participating in the Bahama experiment. Plainly there was in contemplation a wealthy, exclusive society. The anonymous writer was obviously no believer in the doctrine of the natural right to vote, and one is therefore not likely to go astray in seeking him among the Independent grandees, among men like Cromwell and Ireton.

The economic form of the trading corporation is deftly combined by the author with the political republic. A person who subscribes his £100 to the common stock thereupon becomes, in his business capacity, an adventurer; and in his political capacity, a senator of Eleuthera. There are to be one hundred senators and adventurers. The general rule is to be that a senator holds office for life, but two qualifications are to be noted: first, a senator divests himself of his rank when he sells his business interest in the concern; and again, he may be "amoved by the said Senate, upon just cause or complaint." The latter proviso incorporates in the *Articles and Orders* a constitutional doctrine put forward shortly before by Levellers and Independents against their Presbyterian brethren in parliament. To ensure that the senate will be responsive to the wishes of the community, this opportunity for "purgation" or removal is given. On June 15, 1647,

[1] Samuel R. Gardiner, *Constitutional Documents of the Puritan Revolution*, 1625–1660, p. 411.

the English army had demanded that the Long Parliament be purged of corrupt members, by which it meant Presbyterians who had defamed Levellers and Independent democrats. The army pressure was successful, and on June 26 eleven Presbyterians, leading men, withdrew from the House of Commons.[1] Another case of the sort, more famous by far, was destined to follow.[2] It is clear that the writer has been watching current politics with a keen eye; that he is in sympathy with the principle of the army demand that the legislature should be responsive to the people, in whom is supreme power; and that he includes the provision for senatorial removal with a definite purpose in mind. He has generalized on the basis of a small episode, and erected a universal principle on it. Here, again, he displays that in his political thinking he is close to Independency.

His main political problem is to create a government marked by the twin characteristics of stability and energy. He ensures continuity and permanence by providing that the senators shall hold their places for life. He does not throw light on the question of how frequently the senate is to meet, but it is not—so much is plain—to be in session every day. In the senate, repository of wealth and skill and influence, is vested full political power. Probably it would hold its sessions fairly often. But in order to ensure a rigorous and efficient administration, the writer provides in addition a small organ of government, a council of twelve and a governor. These thirteen officials are to be in perpetual session, to exercise delegated power, and to be responsible to the senate, which elects them to office for a term of one year. A period of authority as short as this argues a fear of misuse of authority; perhaps, therefore, short terms in office are to be combined with rotation of the several senators. The principle of rotation was dear to the hearts of republican theorists, and it would be surprising if it were not intended that it be practised in the present instance.[3]

The author has learned one of the lessons of war government: the need for emergency powers. Hence he provides that "the said *Governor* and *Councel*, shall have power to call together upon any emergency, to the said Senate or so many of them, as shall then be upon the said Islands, and to act and execute what shall be by the said convention of Senators, ordered and referred, or committed unto them."[4]

[1] Joseph R. Tanner, *English Constitutional Conflicts of the Seventeenth Century*, p. 145.

[2] Pride's Purge, December 6, 1648, in which the Presbyterian element was expelled from parliament. Thereafter the Independents, formerly a minority, became the sole possessors of power.

[3] H. F. Russell Smith, *Harrington and His Oceana*, pp. 40–49.

[4] Charles H. McIlwain, *The High Court of Parliament and Its Supremacy* (p. 104), supplies a passage which is pertinent comment at this point: "By the 'logic of events' the new idea was slowly but surely borne in upon the minds of [seventeenth-century]

The political future of the Bahama republic is guarded carefully. When senators sell their interest, or die, vacancies in the senate are to be filled according to a prescribed plan. Nominations, presumably by the senate, are to be made to the number of twenty "fit" persons. Three fourths of the nominees are to be discarded by "scrutiny," that is, by a formal taking of individual votes. Then, of the five nominees who remain, one is to be elected by the major part of the senate voting by "ballotines." In order to obviate the evil of absenteeism, the new senator must be a resident of the islands. By "fit" persons are meant, no doubt, those who meet the religious and financial requirements of the *Articles and Orders*. Thus the method of indirect elections is adhered to, ensuring that the senate will be protected from the poisons and corruptions of the body politic.

In this political system one beholds an aristocratic republicanism which combines elements making for stability with features that provide firmness and energy in administration. A written constitution outlines the scheme of government; theoretical sovereignty is in the people, properly interpreted; practical sovereignty is vested in the senate; and such devices as indirect elections, a limited term of office, and perhaps rotation in trust, are employed. One is at once reminded of the political theories of James Harrington, who in *Oceana* (1656) devoted a brilliant talent and much thought to the exposition of precisely such a philosophy of government as this.[1]

This sketch of the proposed Bahama governmental system anticipates in a remarkable way the institutions of the English Commonwealth. The House of Commons corresponds to the Bahama senate. In both cases there exists a legislature of a single chamber. In both cases, again, the legislature is aided by a small council elected by the larger body. And in both cases, finally, the legislatures make use of a system of committees.

Advanced ideas on legal reform were entertained by the anonymous author of the *Articles and Orders*. This topic, too, was much under dis-

Englishmen that Parliament was a real lawmaking organ. Times of crisis, of course, hastened this process. *Emergencies arose that required prompt action* [italics mine]; existing laws were inadequate; no rule was in existence to be 'determined'; there was no time for a fiction; a rule must be *made*. Such a crisis confronted the Long Parliament. It was met by an assumption of power wholly unusual. The acts of the Long Parliament, legal and illegal, justifiable and unjustifiable, did much to habituate the minds of Englishmen to a legislative assembly." The provision in the *Articles and Orders* for emergency action is a pointed contemporary illustration of the process to which Professor McIlwain refers.

[1] The intellectual connection between the ideas of Levellers and radical Independents on the one hand and the republican theories of Harrington on the other still waits to be explored. Harrington's theories are much more intimately related to the fabric of English progressive economic and political thought at this time than a reading of H. F. Russell Smith's study would lead one to suppose.

cussion at the time. Walwyn and Lilburne wrote tracts complaining of abuses in the law and in the administration of justice. Winstanley, Wiseman, Warr, Leach, Parker, and Henry Robinson did likewise.[1] One need not here introduce the substantive element in these complaints; as a matter of fact, there existed a number of genuine causes for dissatisfaction. To this movement in opinion the writer is certainly responsive when he asserts that "the equal distribution of justice, and respect to all persons, without faction or distinction," are desirable in the Bahama plantation. And elsewhere he insists that there shall be "speedy justice done unto every man that shall seek it at their [the senate's] hands." Not only political radicals like the Levellers, but also practising lawyers voiced a demand for reform. The merchant Henry Robinson joined in the chorus. In 1641, he published a tract, *England's Safety in Trade's Encrease*, in the course of which he proposed that a special court be set up to settle differences between merchants.[2] Time was valuable, he argued, and the merchant needed speedy justice. Mercantile affairs involved technical knowledge such as many judges did not possess. Current legal procedure was slow, expensive, and troublesome. Rascals were able to bring suit without good cause for action. To reform abuses, Robinson suggested that a merchants' court be set up on the model of an Italian institution he describes. In this way knotty business conflicts could be solved quickly and cheaply.[3]

There are in the *Articles and Orders* some observations on military impressment which tell another tale of close attention to current popular demands, especially to those of the radical democrats. A denial of the right of impressment, though carefully qualified, is contained in the broadside. The problem was a vital issue at the very time now under discussion. Late in March, 1647, the officers of the army were circulating a petition which, among other matters, raised the question of the right of parliament to send soldiers to Ireland against their will. The officers and men opposed the parliamentary proposal, asserting: "That those who have voluntarily served the Parliament in the late Warrs may not hereafter be compelled by press or otherwise to serve as souldiers out of this Kingdome."[4] In the *Agreement of the People*, adopted by the democrats late in October, 1647, this demand was still insisted upon: "That the matter of impresting and constraining any of us to serve in the wars is against our freedom; and therefore we do not allow it in our Representatives. . . ."[5] As long as parlia-

[1] Gooch and Laski, *English Democratic Ideas*, pp. 308–311.

[2] Henry Robinson, *England's Safety in Trade's Encrease* (London, 1641), pp. 25–28. Page 28 is misnumbered "34."

[3] *Id.*, pp. 25–28. [4] Firth, *Clarke Papers*, I. xi.

[5] Gardiner, *Constitutional Documents*, p. 334; Theodore C. Pease, *The Leveller Movement*, p. 300.

ment retained the idea of an Irish expedition, just so long was this note of resistance to impressment sounded.

In the *Articles and Orders* one reads: "That none shall be compelled to take Arms, or go to war out of the *Countrey* unless it be for the necessary defence thereof, and to expel or divert an eminent invasion, neither shall any be suffered to take any depredations or invasions upon any, either by Sea or Land, unless upon a War first begun by them and open War by the said *Plantations*, first denounced against them." The principle of non-impressment is laid down, with the obvious intention of setting at rest the minds of prospective settlers weary of war; but the principle is so whittled away by concessions and qualifications that it could hardly amount to any safeguard at all. The writer is showing his hand here: it is plain that he cherishes imperialistic schemes for the Caribbean theater of action. He wishes settlers from the ranks of discontented army officers, and he must lull their suspicions to sleep if possible; hence his seeming acceptance of the principle. But he does not entirely conceal the fact that he expects that military adventures will use the Bahamas as a base in the same way as they had already used Old Providence. He has in the back of his mind exploits which will make the Spaniard wince. One seems to sense at this point the influence of the Earl of Warwick, militant champion of Protestantism and English expansion in West Indian waters. It is possible that the writer and the earl were coöperating at this juncture.[1]

As in religion and politics, so in economic matters the unknown author is inventive and original. His proposals for the exploitation of the natural resources of the Bahamas are based upon what would seem to be a fairly accurate knowledge of existing conditions. He first arranges for the granting of land. Each original adventurer is to receive three hundred acres of land in one dividend, and two thousand acres more in a second and subsequent dividends. For the first three years of the plantation's existence, adventurers are to cultivate their lands in common. This provision undertakes to keep planters near one another during the infancy of the colony, and allows variety of occupation while ensuring the production of sufficient foodstuffs. At the end of the three-year period, the grants of three hundred acres to which each adventurer is to be legally entitled are to be made. The apportionment of particular parcels is to be made by lot, a device intended to obviate both possible corruption in making assignments and the

[1] The writer is informed by Dr. James A. Williamson that the Earl of Warwick had a hand in this enterprise. See also James A. Williamson, *Short History of British Expansion*, I. 212–213. The Spaniards took Old Providence, off the Central American coast, in 1641; but in 1647 the Bahama settlers applied the name "Providence" to one of the islands of the Bahama group, which thereupon became New Providence.

certain ill feeling that would follow from this.[1] The larger grants of two thousand acres are to be postponed, though made "with as much convenient speed, as the occasions of the Plantation will permit." Each adventurer is to have an equity, in addition, in such other land as remains undistributed. This undivided acreage would constitute a kind of public domain, and supervision over it is entrusted to the senate or to such committees as that body may appoint.

Among the resources of the Bahamas were salt-pans, rich stands of exotic timber—mahogany, fustic, lignum vitae, and the like—and ambergris. The aim of the unknown writer in arranging his schemes for the use of these commodities was to ensure that, as the adventurers had shared equally in the investment, so should they share equally in the profits. Strife and vexation would almost certainly be introduced into the society of high-minded religious folk if a handful of them engrossed these rich resources to the exclusion of the community as a whole. To avoid this undesirable consequence, the author devises an interesting system of public works. It is not necessary to recapitulate his provisions here, for they may be read in the text of the broadside. It is only to be remarked that careful regulations are laid down, and definite penalties prescribed, for infraction of the rules. The hour of *laissez-faire* had not yet struck in the Bahamas: government regulation was the prevailing theory. The natural resources of the Bahama frontier are to be utilized according to an orderly plan. The scheme embraces a method of producing the commodities and a mode of marketing

[1] In 1675, Major John Fenwick, an old Cromwellian who had obtained a grant of land in West New Jersey, and was then preparing to colonize, issued at London a broadside advertising the nature of the community he proposed to set up there. Some of his provisions are so similar to those outlined in the *Articles and Orders* that Fenwick's proposed arrangements may well be indicated here. Politically, he contemplated a republican form of government, with "a Governor and 12 Council to be Chosen every year, 6 of the Council to go out, and 6 to come in; whereby every Proprietor may be made capable of Government, and know the Affairs of the Country, and Privileges of the People." The application of the principle of rotation in office is unmistakable.

Fenwick also proposed cultivation of the land in common for a limited term of years. This proposal seems to be similar to, though more fully explained than, the scheme outlined in the *Articles and Orders:* "First, 10,000 Acres being pitch'd Upon, and divided according to every mans Propriety; then Lots shall be cast, and when every one knows where his Lot lies, there being also a place Chosen and set out for a Town or City to be Built, in which every Purchaser must have a Part, by reason of Delaware River for Trade. Then every one must joyn their Hands, first in Building the Houses, and next in Improving the Land, casting Lots whose Houses shall be first built, and whose Land first Improved: And as the Land is Improved so it shall be for the Use of all the Hands and their Families which are joyned in this Community, until the whole 10,000 Acres be Improved; Then every one to have his own Lot to his own Use: And so this Method to be used till the Country be Planted. If any like not this Method, they may be left to Improve their Propriety alone." The complete text of the broadside issued by Fenwick is found in *Pennsylvania Magazine of History and Biography*, VI. 86–88.

them. It is proposed that the senate shall appoint a committee of two skilled merchants. There is also an arrangement for the division of the proceeds in an equitable manner. In this plan, self-interest and the common good are both consulted. One experiences a feeling of admiration for the thought and skill which went into this scheme. Matter-of-fact person though he was, the writer was not without his share of benevolence. He envisages Bahama society making provision for works of mercy and charity. That this was not empty talk the first benefaction to Harvard College bears lasting witness.[1]

It is uncertain whether the labor system that he assumes as the base of his projected society is more or less liberal than those obtaining in other parts of English America at this time. Indentured servants in Bahama, having completed their term, are to be granted by the governor and council plots of twenty-five acres. One is not informed precisely how many years the servants are to labor; if for three years, then they are to be better off than the servants in the West Indies, who often spent four years or more in bondage. Some curiously detailed provisions cover the case where a servant is sent from England, but dies on the way out to the plantation. These provisions seem to be designed to set at rest a current dispute in plantation economy, a dispute that appears to have involved as parties colonial proprietors on the one hand and, on the other, English owners of shipping.[2]

It seems a just inference that the projector of the Bahama scheme contemplates that a monopoly of internal trade will be exercised by the Bahama Company. He also assumes that ownership and administration will be united. The public enterprises—salt-ponds, timber-cuttings, and the collection of ambergris—are to be conducted by committees appointed by

[1] Our *Publications*, XXXI. 29. Nathaniel White (H. C. 1646) returned to Boston in the summer of 1650 from a visit to the Bahamas. He brought with him a cargo of Brazil wood, produce of the islands, which the Eleuthera men had sent to the college as a "pledge of thankfulness . . . to bee disposed of . . . as a stock for your Colledges use." The wood fetched a price of £124. The best account of the episode is by Samuel E. Morison, "The Strange History of the Eleuthera Donation," *Harvard Alumni Bulletin* (June 19, 1930), pp. 1067–1072. See also Morison, *Harvard College in the Seventeenth Century*, pp. 39–43.

[2] In a broadside parliamentary proclamation dated January 23, 1646/7, one reads that the legislature is concerned with regulating in some degree the exportation of servants to the colonies in America. It is stipulated that the names of such persons as are to be transported must be registered in the customhouse, and that certificates must be returned to England within one year, giving notice by the governors of colonies concerned that the servants have disembarked in the colonies. Servants are not to be spirited away from England, and apprentices are not to be urged to desert their masters. These are some of the aspects of the traffic in transported persons; the items in the *Articles and Orders* refer to still others of this unlovely business. The broadside is listed in *Thomason Tracts* under the date cited above; its caption is *Die Sabbathi 23 Ianuarii* 1646.

the senate. This is proper, since legally all senators possess equities in these natural resources in so far as they are found on public property. Constitutionally, the expedient by which the writer curbs the liberty of individual entrepreneurs in business affairs is interesting. He makes use of the majority of the senators to restrain the activities of a few. This seems to be the continuance of a medieval and early modern point of view.[1] In some respects the liberty of the subject, considered as a member of the senate and an adventurer, is abridged. In others, the liberty of the subject, if he be not a member of the senate, is insufficiently protected. Although the written constitution provides a scheme of government, what is there to keep the senate from becoming a tyrannical body? The Levellers dreaded, and with good reason, a tyrannical parliament as much as they feared a tyrannical king. How was arbitrary exercise of power to be hindered? A written constitution would be something of an attempt toward this end, as would be the doctrine of the separation of powers. The Bahama government is to be a government of *fused* powers. It concentrates in the senate legislative, judicial, and administrative or executive power. The senate is the source of positive law and, except for its creature, the council and governor, the instrument of policy. The powers of government are not separated, for its creator did not think this separation vital to his scheme. One recalls that Lilburne, the Leveller and champion of popular liberty, originated the doctrine of the separation of powers, and that his discovery dates from a few months after the time of this broadside.[2]

The leading religious, political, legal, military, and economic ideas incorporated in the *Articles and Orders* of 1647 have now been surveyed. From the foregoing observations it is reasonably clear that, as far as the author's political stand may be determined, he was either an Independent or else close to the Independents of the more conservative stripe; in religion he was a friend of the principle of toleration, contended for by Independents and sectaries alike; in economic thought he was original as well

[1] Inherited, it would seem likely, from the internal rules and regulations in force among guilds and business corporations.

[2] On the fusion of powers in the old English government, see McIlwain, *High Court of Parliament, passim*. Lilburne expounded the theory of the separation of powers in pamphlets published in the spring of 1648. The words of T. C. Pease on this phase of the Levellers' thought (*Leveller Movement*, pp. 241–242) are apposite: "[The Levellers] no longer designed that Parliament should be a supreme constituent body free of all restraint from lesser authorities and subject to reversal only by the people. Advancing a step further with their doctrine that the Parliament must be subject to law, they suggested the possibility of an inferior court's sitting to review actions of the High Court of Parliament manifestly contrary to the law of England. The doctrine of Lilburne left Parliament supreme as a legislature, but erected beside it a judiciary bound by the known law, but nevertheless capable of checking the legislature if it passed the bounds of that law."

as traditional, combining practical skill with a grasp of reality and a satisfactory knowledge of human behavior. Contemporary issues of moment had registered their effects on his brain, and he displayed the capacity to profit by the lessons of the day. He probably stood in some relation, more or less intimate, to the Earl of Warwick. One should not seek him in the ranks of the purely theological thinkers, but among men less narrow in their training. When one cons over the business men of the day, men who also were thinkers and theorists, one first pitches upon the name of Henry Robinson.

Concerning this talented man Dr. W. A. Shaw has some pertinent observations:

> In a period which was to witness the short-lived triumph of dogmatic Calvinism and of ecclesiastic Presbyterianism . . . it was, strangely enough, a layman and a business man who was to be the first to point intolerant Presbyterian and fighting Independent to the true path of free development and wisdom—the path, namely, of tolerance in matters of religion—of freedom of conscience. That layman, unskilled, long-winded, and lumbrous as a writer, yet of wonderful originality and width of view, was Henry Robinson.
>
> Dr. Gardiner was the first to point out the existence of an anonymous tract on *Liberty of Conscience*, the date of which is distinctly anterior to the similar tracts which the Baptist Church or any other has claimed to have been the first to anticipate the modern spirit, by showing the way of toleration. By a brilliant process of deduction, Mr. Firth has traced the authorship of this anonymous tract to Robinson, and the identification has revealed, in the figure of this London merchant, a versatility of gift and inventiveness of nature, which are little short of astounding.
>
> Robinson was the eldest son of a London mercer. . . . He was born in 1605, and educated at St. John's College, Oxford, but was apparently taken from Oxford and put to business before he had opportunity to graduate. He visited and lived in Constantinople, probably as his father's factor, and at the age of twenty-eight was residing at Leghorn. Several indications exist in his works of other places on the Continent where he doubtless resided and traded. There can be little question that it was his travel which gave him his broad views on religion, as well as that intimate first-hand knowledge of business and exchange matters which he evinces in such of his tracts as bear on trade and commerce. On his return to England he continued to pursue his merchant business, but not that alone. He set up a private printing-press, from which he preached toleration to his countrymen . . . he brought forth propositions without measure or end for the practical advancement of trade, for the ease of the poor, for the registration of land, for the reform of legal procedure, for the establishment of banks, of state pawnshops, and what not more? . . . Under Cromwell he was Auditor of the Excise, he was a member of the committee for taking the accounts of the Commonwealth, and was Comptroller for the sale of the King's lands. He saw the inner workings of the Commonwealth national finance, as well as of Commonwealth commerce and navigation.

His tracts on trade deserve to be reprinted entire, as well for the practical details of the 17th century commerce, which they contain, as for the curious originality of many of Robinson's propositions.[1]

In this summary description of Henry Robinson's quality there is nothing that militates against the hypothesis that he drafted the Bahama *Articles and Orders*. And a rapid survey of the titles of his known tracts brings additional support to the suggestion.

Robinson published: 1. *England's Safety in Trade's Encrease* (London, 1641), which contains in germ many of the ideas afterward discussed or debated at greater length in separate tracts. 2. *Libertas, or Reliefe to the English Captives in Algier* (London, 1642), embodying a proposal to clear the Mediterranean for English commerce, and confine the Turk to Constantinople, thus evincing well-defined imperialistic views. 3. *Liberty of Conscience* (London, 1644), a powerful statement of the case for toleration. 4. *An Answer to Mr. William Prynne's Twelve Questions concerning Church Government* (London, 1644), which debates Presbyterian objections to Independent ideas. 5. *John the Baptist* ([London?], September, 1644), another tract dealing with liberty of conscience. 6. *Certaine brief Observations* (1644), an attack on Prynne. 7. *An Answer to Mr. John Dury* (London, 1644), a tract on church affairs. 8. *The Falsehood of William Prynne's Truth Triumphing* (London, 1645), opposing Presbyterianism. 9. *Some Few Considerations* (London, 1646), dealing with religious problems. 10. *A Short Discourse between Monarchical and Aristocratical Government, or a sober Persuasive of all true-hearted Englishmen to a willing conjunction with the Parliament of England in setting up the Government of a Commonwealth* (London, 1649). This argues in favor of aristocratic republicanism, but leaves unsettled the then pressing issue of the rights of the broad masses as against the new rulers of the state. 11. *Briefe Considerations concerning the Advancement of Trade and Navigation* (London, 1650). 12. *The Office of Addresses and Encounters, or The only Course for poor people to get speedy employment, and to keep others from approaching*

[1] William A. Shaw, *Select Tracts and Documents Illustrative of English Monetary History*, 1626–1730, pp. 49–50. Very little of a biographical nature concerning Robinson is known, and that little we owe to Dr. Shaw, who wrote the pioneer article on this interesting London merchant for the *Dictionary of National Biography*. There is a brief but good discussion of Robinson's importance in Haller, *Tracts*, 1. 64–65.

It would be desirable to have a thorough study dealing with this seminal figure in economic and religious thought. An effort ought to be made to determine his intellectual relationship to contemporaries like John Goodwin, William Walwyn, and Roger Williams on the one hand; and the extent of his influence, if any, on William Petty and James Harrington, his literary successors, on the other. Undoubtedly his influence radiated in many directions, just as the sources of his ideas are not confined to one place or a few writers. He read Montaigne: so much is certain.

poverty, for want of Emploiment (London, 1650). This outlines a scheme for opening on Threadneedle Street, London, a registration office for both merchants and the needy. The idea behind it is at least as old as Montaigne's *Essays*, and may be traced in English literature through Sir Walter Raleigh, Lord Bacon, Hartlib, Petty, and on to Robinson. 13. *Certain Considerations in order to a more speedy, cheap, and equal distribution of Justice* (London, 1651), devoted to the idea of law reform. 14. *Certaine Proposals [for] the Advancement of Trade and Navigation of this Country* (London, 1652). 15. *Certaine Proposals in order to a new modelling of the Lawes and Law Proceedings, for a more speedy, cheap, and equall distribution of Justice throughout the Commonwealth* (London, 1653).[1]

The sympathy in ideas between Robinson and the unknown author of the Bahama *Articles and Orders* is marked. Toleration, aristocratic republicanism, law reform, economic imperialism, and colonial expansion; a pronounced interest in the arts and devices by which the rich may grow still more wealthy, and a concern for ways by which poverty may be relieved: all these opinions the two have in common. If the unknown author of the Bahama scheme be justly credited with boldness, originality, and inventiveness in his thinking, he is, in this respect, well matched by Robinson. The pamphleteer was a man of property, an associate of Cromwell in government and in administration. The anonymous writer shows his affiliation with Independency and with the "stake in society" theory. The parallelism in opinions and attitudes is notable.

Refining the argument still further, one may examine this hypothesis more closely. In this connection, Robinson's tract of 1641, *England's Safety in Trade's Encrease*, is of use. One may draw from it materials which supply parallels with ideas contained in the broadside. It is to be understood that this tract is directed primarily to readers who are interested in promoting the national wealth and security of England.[2] In it Robinson summons Holland to witness that abundance of trade and commerce, not wide territorial possession, forms the basis of prosperity.[3] Hence England's cue is to enlarge her foreign trade, expel the Dutch from her North Sea fisheries, and take a firm grip on Newfoundland. With these things manfully accomplished, let England then carry out a series of particular

[1] Dr. Shaw is satisfied that "Robinson is doubtless the author of many works beside these," of which the authenticity is certain (*D.N.B.*). The list printed above follows that given by Shaw, although Professor Haller has lately entered an objection to the attribution to Robinson of *An Answer to Mr. John Dury* (*Tracts*, I. 65, note 53). One may query whether *The Waste Land Improved* (1653) is by Robinson. It sounds in part as though it might be.

[2] *England's Safety in Trade's Encrease*, A2 recto (Huntington Library copy).

[3] *Id.*, B1 recto.

reforms, which Robinson lists to the number of seventeen. His fourth proposal is that colonies in America ought to be increased in number and enlarged in strength. "This is a matter," he writes, "of exceeding great moment enlarging both our Dominions and our Traffike; if people of good report and ranke could be prevailed upon by immunities and priviledges to bee the first Inhabitants in any new discoverie, certainly the businesse through their orderly and good government might succeede more prosperously. . . ."[1] He proposes that swarms of English beggars be shipped to the American plantations, thus freeing England of their pestering presence, and saving "misled charity and daily almes." His fourteenth proposal looks toward the creation of a series of trading monopolies: "all Merchants trading into one place and Province be contracted into a Corporation, the want whereof, or the non-observance of their Charters and Priviledges, both at home and abroad, hath no little prejudiced the trade of all parts in generall. . . ."[2] If, now, one brings together these separate proposals, the combination is something strikingly suggestive of the Bahama Company, with its trading monopoly, its small group of godly, rich subscribers, employing English poor as indentured servants, and carrying on business in an orderly, prudent manner.

It will be recalled that the Bahama Company contemplated a monopoly of the trade, certainly of the internal trade, of the islands. Robinson's attitude is in complete agreement with this view. An unrestricted, a free trade irked him extremely:

> I know there are many that cry out to have merchandizing left open and free for any one to trade, where, when, and how he will; which I may confesse would much encrease it for the present . . . and might last some yeares too . . . though one halfe [of the traders] were undone, the rest, too greedy of gaine, would scarce beleeve them, but make triall also, and so run headlong unto our utter ruine, which must needs be the conclusion of all affaires managed by such as observe no good order, nor understand well what they goe about.[3]

The trade in English cloth and the trade in fish would be, Robinson thought, the bases of English prosperity if the realm were well conducted.[4] Hence the importance of Newfoundland, and hence, too, the necessity of procuring large supplies of salt. In 1641, few Englishmen were aware of the existence of the Bahamas, but many well-educated men knew something about Newfoundland. Robinson stresses the importance for England of the latter island. Would he not, in 1647, favor the colonization of the Bahamas once he had learned that they could produce copious supplies of that

[1] *England's Safety*, p. 13. The expression "people of good report and ranke" is a periphrasis for "rich Puritans," the very sort of folk the Bahama enterprise was seeking to attract.
[2] *Id.*, p. 45. [3] *Id.*, pp. 45–46. [4] *Id.*, pp. 13–18.

all-important commodity in his scheme of things—salt? The conclusion is inescapable when one studies his remarks on this none too common article of trade:

> The multiplying of salt, but chiefly making it with salt water deserves likewise particularly to bee continued and cherished, not so much for imploying many people, but that wee cannot well passe without it. . . . Our fish imployment cannot subsist without it, and the preserving both of fish and flesh the chief sustenance of our long voyages and Navigation, so that if possibly it may bee compassed, and made in England . . . questionlesse it will bee good pollicie. . . .[1]

Having elaborated his argument, he draws to a politic conclusion: "And surely it may serve us for a Maxime of direction in all such like cases, that whatsoever is necessary or so usefull, as probably wee cannot bee well without it, wee should by all meanes possible seeke to secure of it within our owne jurisdiction without being subject to the mercie and reliefe of others. . . ."[2] Under the circumstances, then, one is loath to concede that Robinson would not have been interested in the salt-making possibilities of the Bahamas once he knew that they existed and could be worked by men of English blood.

His sixteenth proposal in the pamphlet under discussion is in the interest of promoting trade and prosperity. He wishes to see set up a board or commission of merchants, charged with the task of "advising and consulting all advantages of commerce, amongst which some understanding Merchants will be necessarie. . . ." Some of these members ought also to be members of the court for settling mercantile difficulties which was referred to earlier in this discussion. The two courts or boards, in short, are to labor to advance traffic, just as the governor and small council in the Bahama scheme are to work for the same purpose.[3] In both instances one sees examples of a watchful magistracy seeking the welfare of business life by vigilant attention to the passing scene. Both in substance and in tone, then, there is a correspondence between some of the content of *England's Safety in Trade's Encrease* and the *Articles and Orders*.

A particular point, small, though seemingly significant, remains to be dealt with. It has been stated above that Robinson spent some years in Italy. It is therefore the more interesting, in the present connection, that an indication of an Italian influence of a sort is to be discerned in the *Articles and Orders*. The author of this document twice makes use of an Italian word, "ballotines," that is of extreme rarity. The sole example of it in English known to the editors of the *New English Dictionary* dates from 1656, when it is found in Harrington's *Oceana*. It is a technical expression, one of the cant terms of contemporary republican theory. The occurrence

[1] *England's Safety*, p. 19. [2] *Id.*, p. 20. [3] *Id.*, p. 46.

of this rare, though now no longer unique, word in the *Articles and Orders* argues that the author of the text was no insular Englishman, and thus adds its tiny increment of weight in support of the hypothesis that Henry Robinson wrote the plan for the Bahama expedition.

The evidence of the typography of the broadside cannot be neglected. Robinson, as is known, had a printing press in London, which he made use of to publish tracts of his own composition. What if it should turn out that this broadside was printed on Robinson's press? There is no indication on the sheet as to the name or address of the printer. A task that specialists in typographical evidence may be prevailed upon to consider is to undertake a comparison between the broadside and the accepted works of Robinson printed on his secret press. If the presswork should prove to be identical, then the net of proof would be reasonably complete.

This concludes the survey of the evidence. In view of the facts presented, one reaches the decision that a case has been made out for the attribution to Robinson of the *Articles and Orders*. The attribution must for the present, however, be considered a probability rather than a certainty.

Annual Meeting
November, 1934

THE ANNUAL MEETING of the Society was held at the Algonquin Club, No. 217 Commonwealth Avenue, Boston, on Wednesday, November 21, 1934, at a quarter after seven o'clock in the evening, the President, SAMUEL ELIOT MORISON, in the chair.

With the consent of those present, the reading of the records of the last Stated Meeting was omitted.

The Corresponding Secretary reported the death, on August 25, 1934, of EMILE BOURGEOIS, an Associate Member; and on November 9, 1934, of WILLIAM LAWRENCE CLEMENTS, a Corresponding Member.

Mr. RAYMOND WALKER STANLEY, of Boston, was elected a Resident Member; Mr. WILFRED JOSEPH DOYLE, of Boston, was elected an Associate Member; and Mr. GEORGE MACAULAY TREVELYAN, of Cambridge, England, was elected an Honorary Member of the Society.

The Annual Report of the Council was read by Dr. JAMES L. HUNTINGTON on behalf of Mr. ROBERT WALCOTT.

Report of the Council

DURING the last year the Society has held three stated meetings: in December, at the house of Mr. Augustus P. Loring, Jr.; in February, at the house of the President; and in April, at the house of Mr. Alfred M. Tozzer, in Cambridge. The year has been rich in papers of interest and value, ranging in point of time from the early fishermen in the land of Baccalaos to the present-day restoration of colonial Williamsburg.

During the past year the following members have been elected:

Resident:

JOSEPH HENRY BEALE
PAUL BIRDSALL
JEFFREY RICHARDSON BRACKETT
CHANDLER BULLOCK
HON. FRED TARBELL FIELD

Hermann Frederick Clarke
Albert Harrison Hall
Clarence Eldon Walton
Alfred Vincent Kidder

Corresponding:

Milton Ellis
John Farquhar Fulton

Honorary:

Hon. Franklin Delano Roosevelt
Charles Franklin Thwing

We have lost by death the following Members:

Harold Murdock, Resident, 1909, died April 5, 1934; interested in the Society throughout his twenty-five years of membership, and constant in his attendance; brilliant and stimulating. After a successful career as a banker, he reverted in later life to those historical studies which were his first love, as evidenced in his *Reconstruction of Europe*, written during his residence abroad during his early twenties. His wide and accurate knowledge of history, especially that of the latter part of the eighteenth century in England and in this country, was enlivened by an incisive style and pungent wit. In 1919 and 1920, he was a member of a committee appointed by President Lowell to reorganize the finances of Harvard University, and from that time until his death he served as Director of the Harvard University Press.

Hosea Ballou Morse, Corresponding, 1929, died February 13, 1934. His career was in the Chinese customs service. He was an authority on the history of China, writing many books and pamphlets on that subject, notably, *International Relations of the Chinese Empire* and *The History of the British East India Company in China.*

William Lawrence Clements, Corresponding, 1928, died November 9, 1934; noted for his collection of colonial historical material, which he gave, with a building to house it, to the University of Michigan, of which he was a Regent.

Emile Bourgeois, Associate, 1927, died August 25, 1934. His reputation was made in the field of foreign policy, but after the exigencies of war had given him an appointment as *Conservateur* of the National Porcelain Manufactory at Sèvres, he made himself an authority on the history of art. A beautiful writer, brilliant lecturer and teacher, he gave much of his time to helping young Americans studying in Paris.

Volumes XXIX and XXX of our Publications, consisting of the Records of the Suffolk County Court for the years 1671–1680, were ready for distribution shortly after the last Annual Meeting, and have been extensively and favorably reviewed, as the following extracts show:

The many striking features present in the legal history of Massachusetts amply justify the care which has been bestowed upon the text; and here, as in other lands and other periods, the critical moment when legal institutions are just taking form is of high significance not only to the specialist but also to the general historian . . . Legal historians will be grateful to the Colonial Society for its handsome contribution. . . . THEODORE F. T. PLUCKNETT, *New England Quarterly*, VII. 586–587.

In editing the two volumes of records of the Suffolk County Court, the Colonial Society of Massachusetts has made a contribution of the first importance to the legal history of the seventeenth century. It is a joy to work with the careful index which has been provided. RICHARD B. MORRIS, *American Historical Review*, XL. 136–137.

Abundant and valuable as are the facts gathered in these volumes, it is possible that a greater contribution may lie in the mere example of thoroughness and completeness in the work. In the reproduction of the old judicial records of the country it should be possible to maintain a high standard, such, for instance, as that of the Selden Society Publications, but it is possible to fall far short of it . . . here the editor and the writer of the introduction have started the project on a high level, and their work is an example of great price. Chief Justice CARROLL T. BOND, *Harvard Law Review*, LXVII. 1291.

All in all, the reviewer considers these volumes two of the most interesting books on American colonial history that it has ever been his pleasure to study. GEORGE E. WOODBINE, *Yale Law Journal*, XLIII. 1043.

These two momentous volumes . . . keep to the highest plateau of skill and craftsmanship in form and content. . . . A group of stars have done a successful bit of teamwork. SAYRE MACNEIL, *California Law Review*, XXII. 590.

These two volumes are superbly bound, the paper is good, and the typography leaves little to be desired. The Colonial Society of Massachusetts in publishing these judicial records has made its debtor everyone who is interested in American legal history. . . . This reviewer ventures the fond hope and fervent prayer that the superb example set by this Society may prove immediately and effectively contagious. ARMISTEAD M. DOBIE, *Virginia Law Review*, XX. 717.

One serial of Volume XXVIII, continuing the Transactions of the Society, was issued during the spring, and Volume XXXI, containing various Harvard College documents, is in page proof.

The Society continues to contribute to the expenses of publication of the *New England Quarterly*.

The Treasurer submitted his Annual Report, as follows:

Report of the Treasurer

In accordance with the requirements of the By-laws, the Treasurer submits his Annual Report for the year ending November 14, 1934.

Statement of Assets and Funds, November 14, 1934

ASSETS

Cash:		
Income	$11,237.86	
Loan to Principal	*9,870.54*	$1,367.32
Investments at Book Value:		
Bonds (Market Value $97,443.75)	$90,099.26	
Stocks (Market Value $30,802.50)	44,907.94	
Mortgages	10,500.00	
Savings Bank Deposits	2,919.64	148,426.84
Total Assets		$149,794.16

FUNDS

Funds	$138,556.30	
Income	11,237.86	
Total Funds		$149,794.16

Investments as of November 14, 1934

BONDS	*Book Value*
$3,000 Atchison, Topeka and Santa Fe Railway Company General 4's, 1995	$2,542.50
5,000 Bell Telephone Company of Canada First 5's, Series B, 1957	4,062.50
5,000 Canadian Pacific Railway Equipment Trust 5's, 1944	3,872.50
5,000 Cedars Rapids Manufacturing and Power Company First 5's, 1953	4,450.00
5,000 Central New England Railway Company First 4's, 1961	3,512.50
5,000 Central Pacific Railway Company First and Refunding 4's, 1949	3,762.50
5,000 Chester Water Service Company First 4½'s, 1958	3,375.00
5,000 Chicago and Western Indiana Railway Company Consolidated 4's, 1952	3,640.00

5,000 Chicago Junction Railways and Union Stock Yards Company Mortgage and Collateral Trust Refunding 5's, 1940	$3,762.50	
5,000 Cleveland, Cincinnati, Chicago and St. Louis Railway Company Refunding and Improvement 4½'s, Series E, 1977	3,726.76	
5,000 Indianapolis Power and Light Company First 5's, 1957	4,593.75	
5,000 Minneapolis, St. Paul and Sault Ste. Marie Railway Company First Refunding 6's, Series A, 1946	5,000.00	
5,000 New England Telephone and Telegraph Company First 5's, Series A, 1952	4,875.00	
5,000 New York Water Service Company First 5's, 1951	3,650.00	
5,000 Oregon-Washington Railroad and Navigation Company First and Refunding 4's, Series A, 1961	4,105.00	
5,000 Public Service Company of New Hampshire First and Refunding 4½'s, Series B, 1957	4,700.00	
5,000 Texas Corporation Convertible Debenture 5's, 1944	5,012.50	
5,000 Texas Electric Service Company First 5's, 1960	4,437.50	
5,000 Toledo Edison Company First 5's, 1962	4,881.25	
2,500 United States Cold Storage Company First Mortgage 6's, 1946	2,500.00	
4,000 United States Cold Storage Company First Mortgage 6's, 1945	4,000.00	
5,000 Western Union Telegraph Company 5's, 1960	5,137.50	
5,000 Wickwire Spencer Steel Company Prior Lien Collateral and Refunding 7's, 1935, Certificate of Deposit	500.00	
TOTAL BONDS		$90,099.26
STOCKS		
50 shares American Telephone and Telegraph Company	$8,593.63	
50 shares Consolidated Gas Company of New York, Common	3,077.50	
100 shares Electric Bond and Share Company Cumulative $6.00 Preferred	10,600.00	
50 shares E. I. Du Pont de Nemours and Company	2,683.75	
50 shares First National Bank of Boston	1,750.00	

1 share	First National Bank of the City of New York	$1,544.81	
240 shares	General Electric Company, Common	5,719.50	
50 shares	Insurance Company of North America	1,963.75	
40 shares	Radio Corporation of America, Common	0.	
5 shares	Travelers Insurance Company	2,225.00	
50 shares	United States Cold Storage Company, 7% Preferred "A"	6,750.00	
50 shares	United States Cold Storage Company, Common		
Total Stocks			$44,907.94
First mortgages on improved property in Greater Boston			10,500.00
Deposit in Warren Institution for Savings		$2,877.81	
Deposit in Provident Institution for Savings		41.83	2,919.64
Total Investments			$148,426.84

Composition of Funds, November 14, 1934

Publication Fund, established in 1893 by gift of $100 from Quincy Adams Shaw: composed of sundry small gifts and portions of the Income which were added from year to year. Income only to be used for Publications	$10,000.00
General Fund, established in 1893: composed of Admission Fees and Commutations added to Principal, Gains on Sales of Securities, etc. Income only to be used for Current Expenses	27,624.06
Benjamin Apthorp Gould Memorial Fund, established in 1897 and 1898 by subscriptions in his memory. Income only to be used	10,000.00
Edward Wheelwright Fund, established in 1900 under his will without restriction as to use	20,000.00
Robert Charles Billings Fund, established in 1903 under his will. Income only to be used for Publications	10,000.00
Robert Noxon Toppan Fund, established in 1904 by a gift in his memory from his widow. Income only to be used	5,000.00
Robert Charles Winthrop, Jr., Fund, established in 1905 under his will. Increased by $2,000 in 1924 under the will of Elizabeth Winthrop. Income only to be used	5,000.00
Andrew McFarland Davis Fund, established in 1908 by a gift from him to be added to the permanent publication funds. Income only to be used	2,000.00
William Watson Fund, established in 1916 under his will without restriction as to use	1,000.00

George Vasmer Leverett Fund, established in 1920 under his will. Income only to be used for Publications	$30,000.00
Henry H. Edes Bequest, established in 1923 under his will. To accumulate until it reaches the sum of $3,000, when it shall be called the Martha Rebecca Hunt Fund. Income only to be used for special purposes	2,877.81
Henry H. Edes Memorial Fund, established by sundry subscriptions from 1923 to 1925. To accumulate until it reaches the sum of $10,000. Income only to be used for Publications	5,054.43
George Nixon Black Fund, established in 1929 under his will without restriction as to use	10,000.00
TOTAL FUNDS	$138,556.30

CHANGES IN PRINCIPAL OF FUNDS

Total Funds, November 14, 1933		$139,415.78
Add—Additions to General Fund:		
Gain on sale of $2,000 Atchison, Topeka and Santa Fe Railway Company 4's, 1995	$217.28	
Savings Bank Interest transferred from Income	1.21	
Additions to Special Funds:		
Henry H. Edes Memorial Fund	286.10	
Henry H. Edes Bequest	84.43	589.02
		$140,004.80
Deduct—Charges to Special Funds:		
Balance of Horace Everett Ware Fund transferred to First Church in Boston		1,448.50
TOTAL FUNDS, NOVEMBER 14, 1934		$138,556.30

INCOME CASH RECEIPTS AND DISBURSEMENTS

Balance, November 14, 1933		$11,983.02
RECEIPTS:		
Interest	$5,214.53	
Dividends	1,864.50	
Annual Assessments	690.00	
Admission Fees	90.00	
Sales of the Society's Publications	609.00	
Contributions	23.50	
Refund of 1932 tax on Alum Mortgage (see contra)	123.10	
TOTAL RECEIPTS OF INCOME		8,614.63
		$20,597.65

DISBURSEMENTS:

Editor's Salary		$1,000.00
Services to Editor		175.00
For Publications:		
Volume 28	$1,069.17	
Volumes 29 and 30	3,593.85	
Volume 31	61.50	4,724.52
New England Quarterly		2,000.00
Annual Dinner		444.40
Notices and Other Expenses of Meetings		187.95
Stewart, Watts and Bollong, accounting services		100.00
Stenographic Services		100.00
Storage on Stock		69.88
Accrued Interest on Securities Purchased		53.75
1932 Tax on Alum Mortgage (see contra)		123.10
Fire Insurance		21.60
Rent of Union Safe Deposit Box		22.00
Contribution to Writings on American History		50.00
Postage and Insurance on Collecting Union Pacific Railroad Company Bonds		.45
Collection Charges		.30
Check Tax		.74
Interest on Henry H. Edes Memorial Fund added to Principal		286.10
Total Disbursements of Income		$9,359.79
Balance of Income Cash, November 14, 1934		$11,237.86

Principal Cash Receipts and Disbursements

Loan to Principal, November 14, 1933		*$10,398.85*
RECEIPTS:		
$2,000 Union Pacific Railroad Company Equipment Trust 7's, matured June 1, 1934	$2,000.00	
2,000 Atchison, Topeka and Santa Fe Railway Company General 4's, 1995	1,912.28	
First and Final Payment by the First National Bank of the City of New York in liquidation of First Security Company	20.19	
Transferred from Income to Principal:		
Henry H. Edes Memorial Fund, Income	286.10	
Interest on Warren Institution for Savings Account	84.43	
Interest on Provident Institution for Savings Account	1.21	
Total Receipts of Principal		4,304.21
		$6,094.64

DISBURSEMENTS:		
$3,000 Cleveland, Cincinnati, Chicago and St. Louis Railway Company 4½'s Series E, 1977	$2,241.76	
Horace Everett Ware Fund, Balance transferred to First Church in Boston	1,448.50	
Interest on Warren Institution for Savings Account, added to Principal	84.43	
Interest on Provident Institution for Savings Account, added to Principal	1.21	
Total Disbursements of Principal		$3,775.90
Loan to Principal, November 14, 1934		*$9,870.54*

James M. Hunnewell
Treasurer

Report of the Auditing Committee

The undersigned, a Committee appointed to examine the accounts of the Treasurer for the year which ended November 14, 1934, have attended to their duty by employing Messrs. Stewart, Watts and Bollong, Public Accountants and Auditors, who have made an audit of the accounts and examined the securities on deposit in Box 1052–E in the Union Safe Deposit Vaults.

We herewith submit their report, which has been examined and accepted by the Committee.

George P. Anderson
Nathaniel T. Kidder
Auditing Committee

The several reports were accepted and referred to the Committee of Publication.

On behalf of the committee appointed to nominate officers for the ensuing year the following list was presented; and a ballot having been taken, these gentlemen were unanimously elected:

President Samuel Eliot Morison
Vice-Presidents Hon. Arthur Prentice Rugg
Chester Noyes Greenough
Recording Secretary Augustus Peabody Loring, Jr.
Corresponding Secretary Hon. Robert Walcott
Treasurer James Melville Hunnewell

Registrar Robert Dickson Weston

Member of the Council for Three Years Stephen Willard Phillips

After the meeting was dissolved, dinner was served. The guests of the Society were: Dr. Reginald Fitz, Mr. Robert H. George, Mr. Jerome D. Green, Professor Frank W. C. Hersey, the Reverend Arthur L. Kinsolving, Mr. John D. Merrill, Professor Eugen Rosenstock, Professor Gaetano Salvemini, Mr. Raymond W. Stanley, and Mr. Albert Thorndike.

After the dinner, Professor Salvemini addressed the Society and its guests.

December Meeting, 1934

A STATED MEETING of the Society was held, at the invitation of Mr. AUGUSTUS P. LORING, Jr., at No. 2 Gloucester Street, Boston, on Thursday, December 20, 1934, at three o'clock in the afternoon, the President, SAMUEL ELIOT MORISON, in the chair.

The records of the Annual Meeting in November were read and approved.

The Corresponding Secretary reported that letters had been received from Mr. RAYMOND WALKER STANLEY accepting Resident Membership; from Mr. WILFRED JOSEPH DOYLE accepting Associate Membership; and from Mr. GEORGE MACAULAY TREVELYAN accepting Honorary Membership in the Society.

Dr. REGINALD FITZ, of Boston, was elected a Resident Member; Mr. JOHN STEWART BRYAN, of Williamsburg, Virginia, was elected a Corresponding Member; Mr. JOHN CHESTER MILLER, of Cambridge, was elected an Associate Member; and Mr. JAMES BRYANT CONANT, of Cambridge, the Hon. WILLIAM CUSHING WAIT, of Medford, and Sir CHARLES HARDING FIRTH, of Oxford, were elected Honorary Members of the Society.

Mr. ALBERT H. HALL read a paper on "The Revolution of 1634."

Mr. GEORGE P. ANDERSON spoke on "Secret Entries in the Diary of John Rowe."

Mr. ROBERT F. SEYBOLT presented by title the following note:

Schoolmasters of Colonial Boston

WITH the editor's permission, I should like to amend my list of early Boston schoolmasters that was published several years ago:[1]

New Names

William Haynes	1681[2]
Eleazer Moody	1688[3]

[1] Our *Publications*, XXVII. 130–156.

[2] *Report of the Record Commissioners of the City of Boston*, X. 70 (April 25, 1681).

[3] Diary of Samuel Sewall (5 *Coll. Mass. Hist. Soc.*, V. 213), entry for May 14, 1688.

Thomas Atkins	1688[1]
—— Samson	1701[2]
Increase Gatchell	1727[3]

Additional Dates

Daniel Henchman (Hinchman)	1665/66–1668; 1669/70–1670/71[4]
Joshua Natstock	1687–1688[5]
Peter Burr	1693–1699[6]

Corrected Notes

Benjamin Tompson	1667–1670/71[7]
Richard Henchman	1700–1714/15[8]
Peleg Wiswall	1719–1767[9]
Samuel Allen	1731–1742[10]
Joseph Ward	1769–1772[11]
Peter Pelham	1734–1750[12]
Samuel Holyoke	1745–1780[13]
—— Royse	1762[14]
William Dall	1768–1770[15]

Moody, also well known as a scrivener, was in Boston as late as 1706 (*id.*, VI. 175). He died in Dedham in 1720.

[1] Mass. Archives, CXXIX. 144a (Boston "Valuation List" of August 27, 1688).

[2] Samuel Sewall's ledger (MS. at New England Historic Genealogical Society), fol. 97, entry for October 8, 1701. Sewall's daughter Elizabeth attended Samson's school.

[3] Suffolk County Probate Records, XXVII. 69 (will, dated June 1, 1727). Gatchell died before February 12, 1727/28. He was in Boston as early as October 19, 1722, when he married Elizabeth Calfe (*Boston Records*, XXVIII. 106).

[4] The entries under the dates December 22 and 29, 1670, and November 27, 1671, in *Boston Records*, VII (pp. 57, 63), indicate that he served a second time as usher in the public school, from March 1, 1669/70, to March 1, 1670/71.

[5] I am convinced that the name should be Natstock, not Ratstock, as given in my earlier list. See my *Public Schools of Colonial Boston*, 1636–1775, p. 8, *n* 37.

[6] Sewall's ledger, fol. 71; Peter Burr's account book (MS. at Massachusetts Historical Society); *Boston Records*, XXIX. 226 (August 6, 1698).

[7] Our *Publications*, XXVII. 136, *n* 8, line 4, should read "January 6, 1670/71" instead of "January 11."

[8] In view of the fact that Richard Henchman died at the age of seventy on February 15, 1724/25, I do not believe that he matriculated at Harvard with the Class of 1697.

[9] Our *Publications*, XXVII. 142, *n* 35, line 7: "XI" should read "XIII."

[10] *Id.*, p. 144, *n* 48, line 2: "XX" should be deleted.

[11] *Id.*, p. 154, *n* 101, line 1: "May 4, 1769" should read "March 13, 1769."

[12] This was Peter Pelham, Sr., not Peter Pelham, Jr. See my *Private Schools of Colonial Boston*, pp. 26 *n*, 27, 29 *n*, 31 *n*, 32, 35. Our *Publications*, XXVII. 146, *n* 55, line 6: "May 30, June 13, 20, 27" should be deleted.

[13] This Samuel Holyoke (bap. May 18, 1729, d. July 24, 1784) was not the one who graduated from Harvard in 1734. See my *Private Schools of Colonial Boston*, p. 41, *n* 54.

[14] This was Vere Ross. Our *Publications*, XXVII. 152: note 86 should be added to note 88.

[15] This was William Dall, Jr., b. December 22, 1753.

Mr. B. LORING YOUNG, in presenting to the Society certain books for its library, made the following remarks:

IT is a great pleasure to me as a member of this Society for many years to be able to add to its library three books: *Chronicles of the First Planters of the Colony of Massachusetts Bay* (Boston, 1846) and *Chronicles of the Pilgrim Fathers of the Colony of Plymouth* (2nd ed., Boston, 1844), both edited by my grandfather, the Reverend Alexander Young; and *A Narrative of the Indian Wars in New-England* (Boston, 1775), written by William Hubbard, an ancestor of mine, minister of the church at Ipswich during the greater part of his life.

The Reverend Alexander Young, D.D., was born in Boston on September 22, 1800, and lived in Boston all his life. He entered Harvard College at the age of sixteen and was graduated at the age of twenty. At the graduation exercises of his class in 1820 he delivered the Latin address, and he was always a thorough student of everything to do with ancient Rome. After a year or so of teaching he entered the Divinity School, then under the charge of Professor Andrews Norton, and in 1824 completed his theological studies. On January 19, 1825, he became pastor of the Unitarian Church on Church Green, Boston, an institution usually referred to as the New Old South Church or the Octagon Church, the latter name being derived from the beautiful spire, which has been portrayed to posterity by an oil painting which was reproduced by the Copley Prints. The original oil painting of the New Old South Church is in my possession, and it is interesting to recall the fact that it was found in an attic in Hingham by the late Arthur Lincoln (H. C. 1863), a cousin of my father, who gave it to my father sometime prior to 1900. William Prescott, Daniel Webster, and Lemuel Shaw were members of this parish.

Dr. Young was not merely a pastor but also a careful and thorough historical student and scholar. His *Chronicles of the Pilgrim Fathers* was published in 1841 and his *Chronicles of Massachusetts Bay* in 1846. Although these works were merely compilations of sources, his notes show great historical knowledge and also give proof of his industry and sound critical ability. He was proud of his city and commonwealth. As he stated himself, "No nation or state has a nobler origin or lineage than Massachusetts. My reverence for the character of its founders constantly rises with the closer study of their lives and a clearer insight into their principles and motives."

Before the two volumes of *Chronicles* were published, Dr. Young had edited a series of volumes entitled *The Library of the Old English Prose Writers*, which was intended to bring before the American reading public

the best examples of a period of English literature which was then little known in this country. As the editor himself said, "In this age of books, when everybody is sipping of the shallow and ofttimes poisoned fountains of an ephemeral literature, how few there are that draw from the deep and healthful wells of English undefiled."

Dr. Young was also interested in public service and was for several years an efficient and faithful member of the School Committee of Boston. He also was one of the founders of the Boston Latin School Association, which was organized in 1844, the first officers being Benjamin Apthorp Gould, president, and Dr. Young, vice-president. Dr. Young was also elected a member of the Board of Overseers of Harvard College in 1837, and in 1849 was chosen secretary of that distinguished Board.

He married Miss Caroline James of Barre, Massachusetts, daughter of Eleazer James and Rosefair Brooks. Eleazer James was a graduate of Harvard in the Class of 1778, was perhaps the leading lawyer in his section of Worcester County, and was always known as "Squire" James. Dr. Young had a large number of children, among whom may be mentioned Edward James Young, who was Hancock Professor of Hebrew at Harvard; Charles Loring Young, who was for many years in the China trade as a member of the firm of Young and Emmons and later was president of the National Union Bank; George Brooks Young, at one time a justice of the Supreme Court of Minnesota and one of the counsel who argued the Northern Securities case before the Supreme Court of the United States for Mr. James J. Hill; Caroline James Young, wife of General Robert Hooper Stevenson; and Benjamin Loring Young, the twelfth and youngest, my father.

Dr. Alexander Young was the son of Alexander Young of Boston, who was born in 1768 and who married Mary Loring, daughter of Joseph Loring and Ruth James. The elder Young was the publisher of the *Massachusetts Mercury*, the name of which was changed in 1801 to the *New England Palladium*. This paper was later merged with the *Boston Advertiser*.

It is not, however, my purpose to discuss the ancestry or personal qualities of Alexander Young, but merely to present to this Society his own copies of both volumes of the *Chronicles*. They contain many notes in his own handwriting showing that perhaps he intended to bring out a further and more accurate edition based on his extensive study and investigation.

William Hubbard was a member of the graduating class of Harvard College in 1642, and the first Harvard man to attempt the writing of history. Although his efforts in that direction were not altogether happy, his *Narrative of the Troubles with the Indians in New-England* (1677),

a copy of the second edition of which, issued with an altered title, I am also presenting today, is a good straight chronicle of the Pequot and King Philip's wars, comparing favorably with other writings of the times.

He was one of the most long-lived of the early Harvard graduates. He was already the senior graduate in New England in 1688 when Governor Sir Edmund Andros invited him to preside at Harvard Commencement in the absence of President Mather; "yet freshly ran he on" sixteen years more. It has always been a matter of jest between our family and the Appletons that a contemporary diary thus records the end of the Reverend William Hubbard: on September 14, 1704, Hubbard "goes to ye Lecture, after to Col. Ap̄letons, goes home, sups, & dyes that night."

The President communicated by title a paper by Mr. RAYMOND PHINEAS STEARNS entitled:

The Weld-Peter Mission to England

ALTHOUGH the Great Migration to the Massachusetts Bay Colony in the decade after 1630 has been given much deserved attention, the economic distress occasioned by the decrease in the numbers of newcomers after 1640 has been less noticed, and the consequent attempts of the colony to obtain relief from England have been scarcely mentioned. From the time of the arrival of the first Puritans, there were complaints of the soil and climate of the Bay region. John Pratt of Newtown doubtless expressed the sentiment of many others when he grumbled that the colony was "builded vpon rocks, sands, & salte marshes," and that it was impossible to subsist there.[1] Impatient or less steadfast men early began to move to Connecticut, to Rhode Island, and to the West Indies, or to return to England. English financial supporters, seeking profits as well as godliness in the enterprise, urged the colonists to move farther south, either on the American coast or to the West Indies, where they could be more comfortable, more nearly self-sufficient, just as godly, and perhaps less expensive.[2] By 1640, Bay Colony apologists were being

[1] *Records of the Governor and Company of the Massachusetts Bay in New England* (cited hereafter as *Mass. Records*), I. 358–360. In 1636, the colony held a fast, partly because of the lack of grain. In the same season, candid, crotchety Lion Gardiner, when consulted about fortifications, said: "... I thought no forraigne potent enemie would doe them any hurt, but one yt was neare, they asked me who that was & I said it was Capt. Hunger threatened them most...." Lion Gardiner, *Relation of the Pequot Warres* (Acorn Club Publications, No. 4), p. 7.

[2] 4 *Coll. Mass. Hist. Soc.*, VI. 1–4.

driven to explain their stubborn immobility by mystical allusions to divine direction. Only widespread poverty and the faith and dissuasive force of Governor Winthrop, backed by Endecott and prominent elders, prevented a wholesale departure of colonists from Massachusetts shores.

Had the Great Migration extended a few years longer, it is likely that an abrupt conclusion would have produced much less disastrous consequences. By 1640, the colonists had made a significant start in the search for a livelihood, and, had this growth reached greater maturity, unmolested by British imperial ambitions, the sharp curtailment of the influx of English capital and goods might have had less adverse effects. Notable beginnings had been made in shipbuilding; companies had been organized to exploit the fur-trade; private individuals were beginning to find profits in lumber and other forest products; farmers were learning to till the soil successfully; acute business men were venturing into trade with the West Indies, envisaging something closely akin to the triangular trade of later importance.[1] These were significant developments, which pointed the way to profitable existence. But time was required for their further growth before the colony could earn its way by such undertakings.

Meanwhile, despite financial assistance from England and the immigration of thousands of people throughout the 1630's, the colony had become poorer and poorer. The settlers spent their money abroad for supplies, but they sold no products with which to balance their trade. Scarcity of money caused prices to fall to less than one half their former level.[2] English merchants refused to extend more credit to Massachusetts buyers and complained that they could not collect their bills already outstanding. Supporters in the mother country began to turn their financial adventures into other channels. The brighter outlook in England after the Short Parliament was summoned in 1640 and the prospect of profits in the West Indies led such men as Lord Brooke, the Earl of Warwick, Lord Say and Sele, and Sir Arthur Hazelrigg—all formerly ardent for the New England enterprise—to cast in their lot with parliament and to invest their money in West Indies schemes rather than sink more funds in the seemingly bottomless and profitless pit of the Massachusetts Bay.[3] In like manner, better prospects in Church and State at home caused a cessation of the Great Migration of the 1630's. English Puritans were more willing to stake their future upon the outcome in England than to risk their lives and their fortunes in the reputedly barren and cold wastes of New England. More-

[1] See the letter from Hugh Peter to Winthrop, probably written in April, 1639, in 4 *Coll. Mass. Hist. Soc.*, VII. 200–201.

[2] *Mass. Records*, I. 326; John Winthrop, *Journal* (Hosmer ed.), II. 19.

[3] See, for example, Lord Say and Sele's letter to Winthrop, July 9, 1640, in 5 *Coll. Mass. Hist. Soc.*, I. 297–303.

over, many settlers from thence, impoverished, tired of a cold, meagre existence, had gone or were preparing to go back to England or, like John Humfry, to the sunny, fertile islands of the Caribbean, so attractively set forth in the propaganda of Warwick, Lord Say and Sele, and other lords proprietors who had patents and needed colonists.[1]

The pronounced shrinkage in immigration to, and the beginnings of emigration from, the Bay Colony intensified economic depression there and so endangered the colony's credit that the magistrates were forced to act. A palliative was sought in October, 1640, when the General Court, noting "a great stop in trade & commerce for want of money," passed an act to make all debts, legacies, and fines payable in commodities at rates set by the Court.[2] Zealous leaders, more loyal to the Massachusetts ideal than to mother England, proposed a league with the Dutch at New Amsterdam,[3] but no official move in that direction is recorded. At length the magistrates, finding no effective relief within their power, determined to apply at home for aid. Charter troubles which had been brewing for several years were a further consideration and gave an added excuse for sending a commission to England. The colony had thus far defeated all attempts there to recover its patent, but if agents could both secure confirmation of charter rights and obtain economic assistance, the officials would be doubly relieved.[4] Furthermore, when the magistrates learned that a parliament had been called, the likelihood of success for such an undertaking appeared to them certain. Nor did they lose sight of more purely idealistic motives; for if Stuart tyranny were now to be checked by the parliamentary curb, might they not expect the long-awaited reformation in the English Church and State to come to pass, and might not the colony lend its aid to such a glorious movement?

In the autumn of 1640 the Court of Assistants debated sending agents to England. Friends there had urged this course, but the magistrates were at first chary:

> . . . we declined the motion [wrote Winthrop] for this consideration, that if we should put ourselves under the protection of the parliament, we must then be subject to all such laws as they should make, or at least such as they might impose upon us; in which course though they should intend our good, yet it might prove very prejudicial to us.[5]

[1] Winthrop, *Journal*, I. 333–335; II. 11; *Mass. Records*, I. 239; Frances Rose-Troup, "John Humfry," *Essex Institute Historical Collections*, LXV. 293–299.

[2] *Mass. Records*, I. 303–304, 307; Winthrop, *Journal*, II. 6.

[3] Hugh Peter, especially, set forth this possibility; see his letter to Winthrop in 4 *Coll. Mass. Hist. Soc.*, VII. 200–201.

[4] Winthrop, *Journal*, I. 127–128, 274–275, 300–301.

[5] *Id.*, II. 24.

Whatever the constitutional implications might have been in the minds of the magistrates, it is clear that they desired to take no chances with their charter "liberties." In the following February, however, after the Court of Assistants had consulted with the elders, it was decided, since a ship was about to sail for England,

> . . . to send some chosen men in her with commission to negotiate for us, as occasion should be offered, both in furthering the work of reformation of the churches there which was now like to be attempted, and to satisfy our countrymen of the true cause why our engagements there have not been satisfied this year, as they were wont to be in all former time since we were here planted; and also to seek out some way, by procuring cotton from the West Indies, or other means that might be lawful, and not dishonourable to the gospel, for our present supply of clothing, etc., for the country was like to afford enough for food, etc.[1]

The Assistants chose Hugh Peter, pastor of the church at Salem, Thomas Weld, pastor of the church at Roxbury, and William Hibbins, a prominent Boston merchant, as the agents to be sent. The governor and others wrote to the Salem and Roxbury churches, asking each to spare its minister for this purpose. Roxbury yielded with little hesitation; but at Salem the request met with intense opposition led by John Endecott. His objections were based upon considerations of state policy, not upon personal disapproval of Peter, except in view of the latter's profession.[2] He felt that the plan itself might prove "more hurtfull then helpfull vnto vs diuers ways." First, he said,

> . . . it will conferme my Lord Say and others of his judgement that New England can no longer subsist without the helpe of old England; espetiallie they beinge already informed of the forwardnes of diuers amongst vs to remoue to the West Indies because they cannot heere maintayne their families.

Further, it might lead to the dishonor of God if ill-affected persons were given the opportunity to jeer at the colony's necessitous condition; it might deter persons from sending money, supplies, and settlers, instead of encouraging these things, "The report of our povertie having bene alreadie a manifest cause of debarring most from vs." Again, said Endecott, if the colony would use what money it had more wisely, not dissipating it "in wines & liquors, & English prouisions of dyett & onnecessarie brauerie in apparell, all which tends to the scandal of religion & pouertie," the want would not be so great. Rather than send agents to England, he proposed an alternative plan. Let "some Godlie wise men in seueral townes . . . (who are well knowen in England, & haue been of eminency & esteeme

[1] Winthrop, *Journal*, II. 25.

[2] Endecott's objections are all embraced in a long letter to Winthrop, 4 *Coll. Mass. Hist. Soc.*, VI. 138–141.

amongest them, as Mr. Cotton, Mr. Ezek. Rogers, Mr. Norrice, & many others such)" write "priuately" to their English acquaintances "who are likelie to doe vs good, by way of counsell to aduize them, that it might be pleasing to God to further the work of the Lord heere, by their purses & persons, &c. This we thinck wilbe more effectuall then the other."

Endecott also objected that the agents nominated by the Court were "most vnfitt." Unfortunately, since he feared that his letters might miscarry, he did not state his reasons fully. The chief points of his opposition are, however, clear. He argued against the colony's employment of ministers in secular affairs, for, he queried, might it not appear as "something Jesuiticall"? He also pointed out that they were "men well affected to the West Indies" and might become prey to those in England who advocated moving the New England settlement to a Caribbean island—referring, no doubt, to his own pastor, Hugh Peter, who had been strongly tempted by West Indies propaganda.[1]

The Salem magistrate's protests contained some sound arguments, and the people of the Salem church staged a bitter battle over giving up their minister for the colony's service abroad. John Humfry vehemently attacked Endecott for his opposition, but the latter, backed by Emmanuel Downing and William Hathorne, prevailed for the time being.[2] The church excused itself to the General Court for its refusal to yield up its pastor, saying that "It would be conceived we sent them begging."[3] In the end, the dispute between Endecott and Humfry, having extended through the colony, threatened widespread differences on similar grounds, and the plan was temporarily abandoned.[4]

The spring of 1641, however, found economic distress in Massachusetts even more severe, and the plan recently defeated was revived. Displeased elders and magistrates who aligned themselves with Endecott found their objections overriden. Once again, Peter, Weld, and Hibbins were chosen to act for the colony. On June 2, 1641, the General Court again asked leave of their respective churches for Peter and Weld to go to England "upon some weighty occations for the good of the Countrey, as is conceived."[5] This time the Salem church quietly assented, and the Roxbury church agreed as before.

Once the proposition had been determined upon, the agents made haste to depart upon their mission. Finding no ship going directly to England,

[1] This was cited by Winthrop (*Journal*, II. 25–26) as the "main reason . . . privately intimated."

[2] *Id.*

[3] William D. Chapple, "The Public Service of John Endecott in the Massachusetts Bay Colony," *Essex Inst. Hist. Coll.*, LXV. 403–447.

[4] Winthrop, *Journal*, II. 26. [5] *Mass. Records*, I. 332.

they decided to go first to Newfoundland, intending to obtain passage thence in the fishing fleet. Accompanied by John Winthrop, Jr., Thomas Lechford, the disbarred and discontented lawyer, and forty other passengers, the three commissioners left Boston on August 3 and arrived at Newfoundland on August 17.[1] There they were delayed by a lack of ships for England, and the two clergymen improved their time by preaching to the fishermen. At length, some three weeks later, passage was secured, but even then they were obliged "to divide themselves and go from several parts of the island, as they could get shipping."[2] Winthrop, who arrived in Bristol on September 28, described his twenty-day voyage aboard a sixty-ton fishing vessel as being marked by "foule weather" and "continual storms."[3]

Although no copy of their instructions is known to exist, the agents' objects in going to England in 1641 are clear enough. Governor Winthrop's account of the mission, and their own subsequent activities, leave no room for doubt. They were to explain to the colony's creditors "the true cause why we could not make so current payment now as in former years we had done";[4] they were to seek whatever aid they could get from friends of Massachusetts in the way of money and supplies for the colony, for the college at Cambridge, and for the conversion of the benighted Indians—"but with this caution," said Winthrop, "that they should not seek supply of our wants in any dishonourable way, as by begging or the like, for we were resolved to wait upon the Lord in the use of all means which were lawful and honorable";[5] they were to apply to the English authorities "for ease in Customs and Excise; the Country being poor, and a tender Plant, of their own setting and manuring";[6] and they were to try in every other way possible to secure English support for the budding commerce of the colony. In all these endeavors the agents were to be on their guard lest they compromise the rights of the colony as guaranteed by the charter, and they were to attempt to remove the difficulties suffered for years by the colony in retaining its patent.[7] Lastly, and for Peter and Weld

[1] Winthrop, *Journal*, II, 31–32; Thomas Lechford, *Plain Dealing* (Trumbull ed.), pp. xxxvi, 109.

[2] Winthrop, *Journal*, II. 32.

[3] 5 *Coll. Mass. Hist. Soc.*, VIII. 35. He does not indicate in his letter who the others sailing with him were.

[4] Winthrop, *Journal*, II. 31. [5] *Id.*

[6] Hugh Peter, *A Dying Fathers Last Legacy* (London, 1660), pp. 101–102; almost the same words appear in *The Case of Mr. Hugh Peters* (London, 1660), p. 3, and in his petition, printed in the *Seventh Report of the Historical Manuscripts Commission*, Part I, pp. 115b–116.

[7] Before the agents left the Bay Colony, Emmanuel Downing, failing to bid them fare-

most fateful of all, they were to further "the work of reformation of the churches" in England "which was now like to be attempted."[1]

In addition to the duties imposed upon all the agents in general, Peter was entrusted with a special diplomatic mission to the Dutch. From the time in 1633 when Edward Winslow and Governor William Bradford recognized the trading possibilities of the Connecticut River area, the English at Plymouth and Massachusetts Bay had been in constant conflict with the Dutch of New Amsterdam over the possession of that territory. The Dutch had established a trading post and fort at Good Hope, on the site of Hartford, in 1633, but they had failed to plant a strong settlement in the region. After Plymouth had invaded the valley, Massachusetts men had established settlements in the neighborhood, and young John Winthrop, on behalf of the Saybrook patentees, had constructed a fort at the mouth of the river in 1635. Meanwhile, though the Dutch had protested against such inroads upon territory to which they asserted title, they had entered into profitable commercial relations with the English and had tended to lose sight of their territorial claims as long as the trade was profitable.[2] More and more, however, the English, especially those at Hartford, had extended their claims westward until they were within a short distance of New Amsterdam itself.[3] By 1641, the Dutch, now thoroughly aroused by these "unlawful usurpations," were prepared to defend their alleged rights by force of arms. Governor Haynes of Connecticut applied to Massachusetts for aid, but, when an Indian attack diverted the Dutch from their purpose, he and the elder Winthrop determined to commission Hugh Peter, who, "being well acquainted with the chief merchants in Holland" by reason of several years' residence there, was to attempt to pacify the Dutch West India Company.[4] The instructions, signed by Haynes and Winthrop, were not drawn up until October 10, when Peter had already departed for England, but they were sent

well in person as he had intended, wrote a letter which was delivered to Hugh Peter by the younger Winthrop, wherein he gave legal advice relative to the charter difficulties. Cf. 4 *Coll. Mass. Hist. Soc.*, VI. 58, 59.

[1] Winthrop, *Journal*, II. 25. J. B. Felt's denial of this object of the mission (*Ecclesiastica History of New England*, I. 434) is refuted by Winthrop, by the work of the agents in England, and by Hugh Peter's statements. Edward Johnson, writing in 1652, said that Peter and Weld, "so soon as they heard of the chaining up of those biting beasts, who went under the name of spiritual Lords," returned to England where "what assistance the Gospel of Christ found there by their preaching, is since clearly manifested. . . ." *Wonder-Working Providence* (Poole ed.), p. 224.

[2] William Bradford, *History of Plymouth Plantation* (Ford ed.), II. 164–171.

[3] A. C. Flick, editor, *History of the State of New York*, II. 40–46.

[4] Winthrop, *Journal*, II. 33.

to him there. They provided "Authority to the Reverend Mr. Peters to treat with the West India Company," as follows:

Whereas Mr. Hugh Peters, Minister of Salem, the bearer hereof, is sent at the public request to England, to negotiate with the present Parliament respecting such matters as concern us which we confide to his care and fidelity,

This is to authorize him, if occasion permit him to go to the Netherlands, to treat with the West India Company there, concerning a peaceable neighborhood between us and those of New Netherland, and whatever he shall further think proper touching the West Indies, to the end that we may have union and intercourse with one another, God willing, in a matter of such great importance the details to be negotiated are referred to such propositions as shall be presented on meeting together.[1]

The occasion for Peter to go to the Netherlands on this mission did not arise until nearly two years later, but when it did, he performed his task according to these instructions.

When the mixed nature of the Massachusetts undertaking is considered, the instruments selected by the colony do not appear wholly inept. Of William Hibbins little is known prior to his arrival in Massachusetts late in 1638. He was a merchant and a "gentleman" whose abilities inspired ready confidence on the part of his contemporaries, as is attested by his rapid rise in Boston. Admitted an inhabitant of that town in May, 1639, he was chosen selectman in the following December, a post which he held frequently during the next decade. Though not admitted a freeman of the colony until 1640, he became treasurer for the Boston town stock in April of that year and was chosen deputy to the General Court in September. By the time he set out as agent, he was recognized in the community as a prominent man whose wealth, prestige, and contacts with the English mercantile world might well be employed for the colony's benefit.[2]

Both Hugh Peter and Thomas Weld were revered and respected in the colony as orthodox, godly ministers, whose loyalty to the ideals of the Bible Commonwealth could not be questioned. Both had education, experience, and convictions common to most of their colonial colleagues. Graduates of Cambridge, they had served apprenticeships in East Anglia under the greatest Puritan divines of the 1620's, whose influence had led

[1] E. B. O'Callaghan, editor, *Documents Relative to the Colonial History of the State of New York*, I. 568; "Afschriften der Depêches van de Nederlandsche Gezanten in Engeland aan de Staten Generaal der Vereenigde Nederlanden," Add. MSS. 17677 W, fols. 5–6 (British Museum); Felt, *Ecclesiastical History*, I. 468–469.

[2] Hibbins's name is variously spelled "Hibbins," "Hibbens," "Hibbons." The materials from which the above facts are derived are found in: *Second Report of the Record Commissioners of the City of Boston*, pp. 41, 44, 53, 55 ff.; 4 *Coll. Mass. Hist. Soc.*, VII. 200–201; Thomas Hutchinson, *The History of the Colony of Massachusetts Bay*, I. 187; article on Ann Hibbins in the *Dictionary of American Biography*.

them to adopt the New England way of church discipline. For nonconformity each had smarted under English prelacy. Weld had experienced unusually sharp treatment at Laud's hands,[1] and Peter, having been forced out of England, had been hounded by the archbishop for several years in the Low Countries.[2] Arriving in the Bay Colony in 1632 and 1635 respectively, Weld and Peter had been quickly called to churches where they ministered to their flocks with much success.

To such qualifications Peter could add a high repute for his efforts on behalf of the colony's material welfare. An original investor in the Massachusetts Bay Company, he had been much affected when, in 1635, he saw with his own eyes the colony's poverty and straitened circumstances. To a very considerable degree it was through his efforts that the Massachusetts settlers engaged actively in fishing, shipbuilding, the fur-trade, and the West Indies trade in the late 1630's.[3] So great were his abilities in such matters that the colony employed him in 1636 to purchase supplies abroad and, in April, 1641, to press its claims to the Piscataqua territory.[4] Because of his usefulness in secular affairs, Winthrop was led to refer to him as "a man of very public spirit and singular activity for all occasions."[5] Indeed, in view of his experience and contacts with prominent merchants, ministers, and politicians in England and in Holland, the colony had reason to consider Master Peter their most valued agent.

In many respects, the colony's confidence in both Weld and Peter was justified, for there could be no doubt of their thorough sympathy with the varied objects of their undertaking. Nevertheless, as agents they had defects whose seriousness depended upon whether the colony desired to concentrate on the material or the spiritual objects of the mission. If the former were to be of first importance, then, as John Endecott had said, there was "something Jesuiticall" about asking ministers of the gospel to leave their pulpits and "attend to secular businesses which maybe done by others."[6] If, on the other hand, the furtherance of reformation in England were to be the prime object (a circumstance most unlikely in view of the conditions prompting the enterprise), probably no better agents could have been

[1] Samuel R. Gardiner, editor, *Report of Cases in the Courts of the Star Chamber and High Commission* (Camden Society Publications), pp. 260, 264; 3 *Coll. Mass. Hist. Soc.*, I. 235–239; 4 *Coll. Mass. Hist. Soc.*, VI. 10; A. G. Matthews, *Calamy Revised*, pp. 517–518.

[2] For an account of the troubles in Holland in which Hugh Peter was concerned, see my article, "The New England Way in Holland," *New England Quarterly*, VI. 747–792.

[3] For references to Hugh Peter's economic activities, see Winthrop, *Journal*, I. 165, 168 178; II. 23; 4 *Coll. Mass. Hist. Soc.*, VI. 93, 97–98; VII. 200–201.

[4] *Mass. Records*, I. 225, 259, 271; Winthrop, *Journal*, II. 28–29.

[5] Winthrop, *Journal*, II. 23.

[6] 4 *Coll. Mass. Hist. Soc.*, VI. 138–141.

found, since Weld's interest in theological controversy and Peter's zeal for political intrigue were certain to find a fertile field in the England of 1641. Again, whether or not reformation was the colony's chief design, the training, experience, and professional interest of both men were such that they were likely to be carried away by this phase of their duties to the detriment of all others.

When the agents landed in England at the end of September, 1641, they found a country very different from that which they had known less than a decade before. The Long Parliament, after a ten-month session, had been in recess since September 9, and the struggle between king and parliament was well under way, although it had not yet reached the point of armed hostilities. During those ten months parliament had done much to relieve England from the arbitrary government of Charles I, to punish men who, according to the casuistry of the day, had tempted His Majesty into unlawful ways by their "evil" counsel, and to amend the constitution so that such practices might no longer be possible. The Star Chamber, the Court of High Commission, tonnage and poundage—all these had been destroyed. Strafford had been executed as the scapegoat of the king's "evil" counsellors; Laud was in the Tower awaiting similar treatment as the symbol of ecclesiastical wrong-headedness. In all these proceedings the members of parliament had demonstrated an unusual singleness of purpose. The only violent note of dissension had arisen when some ill-advised persons had introduced a petition to destroy episcopacy "with all its dependencies, roots and branches," and to establish a church government "according to God's Word."[1] The petition had failed of its purpose, although demonstrating that beneath the surface the Long Parliament seethed with potential party spirit on religious questions; and unanimity prevailed once more. When the recess was over and parliament reassembled on October 20, these issues were reintroduced into the chaos of English affairs.

The time of the agents' arrival found King Charles in Scotland meeting with the Scottish parliament in an effort to quell disturbances from that quarter. The plague was raging in London, and, except for a few important parliamentary committees appointed to watch the progress of events during the recess, influential people had scattered. What action the Massachusetts men took first is not recorded. It is likely that they communicated at once with powerful friends of the colony. Probably there was some doubt as to whom they should approach about their business. No permanent machinery for the control of colonial affairs had ever been set up in England, and the question had become an issue between the Crown and parlia-

[1] The Root and Branch Petition, December 11, 1640. Cf. Samuel R. Gardiner, editor, *The Constitutional Documents of the Puritan Revolution* (3d ed.), p. 138.

ment. The Crown claimed exclusive jurisdiction, and, prior to 1641, parliament had had practically nothing to do with colonial matters.[1] From the Commission for Foreign Plantations, which the king had created in 1634 to discipline Massachusetts Bay for its recalcitrance in the matter of giving up its charter, the agents could expect no help: the commission had been too unfriendly, and now some of its members had fled to escape parliamentary action and imprisonment with Laud. Since 1640, the Privy Council had assumed management of the colonies, with the aid of special committees of its own, but now it, too, was dispersed by the Long Parliament, and the agents could expect no sympathetic treatment from that source.[2] At the same time, although it was clear that parliament intended to assert control over the colonies, it had not yet done so; it had no machinery established for that purpose, and its hands were so full of other affairs that it was difficult to secure a hearing for the needs of Massachusetts.

However, during the course of the winter of 1641–42 the agents did gain the ear of parliament in an effort to remove the restraints placed upon New England shipping by the Laudian commission.[3] In March, 1641/2, the House of Lords listened to their appeal and appointed a committee of six, including lords Brooke and Say and Sele, to "Move His Majesty that these restraints be taken off."[4] Evidently the king did not heed their lordships' advice, for the matter was brought up again in August, 1643.[5] At this time, with the Civil War under way and parliament in full control of the colonies, the House of Commons declared all restraints removed from ships, persons, and goods bound for New England.[6] With the navy and the chief ports of England in parliament's hands, it appears likely that this order was observed, perhaps with some benefit to Massachusetts. But in matters relating to the excise concessions and to the charter the agents were compelled to bide their time.

[1] George L. Beer, *The Origins of the British Colonial System*, 1578–1660, pp. 300–305, 341–342.

[2] Charles M. Andrews, *British Committees, Commissions, and Councils of Trade and Plantations*, 1622–75 (Johns Hopkins University Studies, Series XXVI, nos. 1–3), pp. 16–23.

[3] *Journals of the House of Lords*, IV. 187b (cited hereafter as *L. J.*).

[4] *Id.*, IV. 188a.

[5] If Hugh Peter consulted Charles I, "with whom," as Peter wrote later, "I dealt about my New Eng: busines and was 3 or 4 tymes with him," it was probably with regard to this phase of the agents' efforts. Cf. *7th Report, Hist. MSS. Comm.*, Part I, p. 116.

[6] *Journals of the House of Commons*, III. 207 (cited hereafter as *C. J.*). A good example of the restraints which had been imposed upon vessels sailing for New England is found in the case of John Winthrop, Jr., who was delayed in 1643 when he set out with men and supplies to establish an ironworks in New England. Cf. 5 *Coll. Mass. Hist. Soc.*, VIII. 36–37.

Meanwhile the appeal to wealthy friends of the colony for money and supplies met with some measure of success.[1] At the moment of their arrival the season was, of course, too far advanced to make it possible to send supplies for the winter then close at hand. But during that first troubled winter the agents exerted themselves to secure the needed relief. The donors that they found were of various sorts, but as a whole they were wealthy London business men, most of whom had been benefactors of or investors in the colony before. A group headed by Robert Houghton,[2] a Southwark brewer and former donor,[3] gave £500 in linens, woollens, and "other useful Commodities," which were shipped to Massachusetts in 1642 by one Captain Sedgwick. In order that "the stock might be preserved and returned this year for a further supply," the goods were sold in the colony at a profit of £80, which was divided equally between President Dunster "for the college" and Captain Sedgwick,[4] and "the principal returned by Mr. Stoughton in the next ship."[5] A second consignment of goods, valued at about £500, was sent over the same season, the gift, it appears, of William Willoughby and others of London.[6] Hibbins returned to Massachusetts with this shipment.[7] But before he returned, he and his colleagues prevailed upon Mr. Richard Andrews, an alderman of London, to give a sum of money to the colony, "to be laid out in cattle, and other course of trade, for the poor." The money was part of what Governor Bradford and his Plymouth associates owed Andrews, James Sherley, and John Beauchamp, their English partners in the fur-trading enterprise which had been launched in 1628.[8] The business had not been profitable, and, in 1641, Sherley had been anxious to terminate the agreement. The Plymouth partners agreed and appraised their debt to the English investors at £1,200. The London partners accepted the estimate. Weld, Peter, and Hibbins, learning of the transaction, prevailed upon Andrews to give his portion, £544, to the Bay Colony.[9] For a time, it appears, the agents hoped to pre-

[1] Doubtless the agents early undertook, as they were charged, to satisfy the colony's irate creditors, but the records do not indicate what progress was made.

[2] Winthrop, *Journal* (Savage ed., 1826), II. 342.

[3] Henry C. Shelley, *John Underhill*, pp. 153–156.

[4] *Mass. Records*, II. 28.

[5] Winthrop, *Journal* (Hosmer ed.), II. 70; *Mass. Records*, II. 27.

[6] It is uncertain who gave this sum. Winthrop mentions it (*Journal*, Savage ed., 1826, II. 342); and the General Court, in returning thanks to the chief benefactors in September, 1642, mentions the three large gifts as those of "Mr. Willobie, Mr. Houghton, & Mr. Andrews." *Mass. Records*, II. 27.

[7] Winthrop, *Journal* (Hosmer ed.), II. 71; *New England Historical and Genealogical Register*, XXXVI. 63.

[8] See Bradford, *Plymouth*, II. 32–38, 64–73, 294–300.

[9] *Mass. Records*, II. 32; Winthrop, *Journal*, II. 70 (the amount as stated here was £500).

vail upon all three men to give the entire amount to the two colonies, two thirds to Massachusetts and the rest to Plymouth. But Sherley refused, and Beauchamp drew back, so that Massachusetts alone received benefit to the extent of Andrews's share.[1] Furthermore, Peter and Weld, in order to obtain even this, were compelled to sign a bond for £110 to guarantee Sherley's release in the partnership; and later, when Sherley and Beauchamp failed to carry out their respective parts as the agents had anticipated, Weld and Peter were forced to pay the price of the bond out of their own pockets.[2]

Besides these three large gifts the agents secured several smaller ones. John Pocock and other London merchants advanced credit to the extent of £200 in goods.[3] Francis Bridges of Clapham, Surrey, who died in June, 1642, wrote into his will that he bequeathed "vnto Mr. Wells, Mr. Hooker, Mr. Peters and Mr. Symes (Ministers of New England)" fifty pounds "towards the enlargement of a Colledge in New England for students there." Bridges likewise gave to "the said Fower New England Ministers Twenty Poundes to be disposed towards the clothing of the poore in New England according as they in their discretions shall think fitt."[4] At this time Peter, Weld, and Hibbins also procured money "from

[1] Bradford, *Plymouth*, II. 330–342. Sherley wrote to his Plymouth partners on June 14, 1642: "Mr. Andrews hath sealed an acquitance also, and sent it to Mr. Winthrop, whith shuch directions as he conceived fitt, and, as I hear, hath given his debte, which he makes 544*li* unto the gentlemen of the Bay. Indeed, Mr. *Welld*, Mr. *Peters*, and Mr. *Hibbens* have taken a great deale of paines with Mr. Andrews, Mr. Beachamp, & my selfe, to bring us to agree, and to that end we have had many meetings and spent much time aboute it. But as they are very religious & honest gentle-men, yet they had an end that they drove at and laboured to accomplish (I meane not any private end, but for the generall good of their patente)." The arrangements were not completed nor the money received in Massachusetts until 1643. See *Mass. Records*, II. 39.

[2] Bradford, *Plymouth*, II. 330–334. Weld wrote of this matter later: "There was about Five hundred pounds due from Newe Plymouth plantation to three Londoners which wee procured to bee given to the Bay to whome it was paid (as Mr Winslowe knowes) but itt never came into our hande, only one of the three refusing to give his share, Brother Peters and I were bound to pay him One hundred and Tenn pounds for his part, which not coming from thence [Massachusetts] att the tyme the Bond expired wee were driven to pay out of our owne purses, after ye Accompt was made vpp, and are out of the money still." Weld to Steele, January 2, 1649/50, Rawlinson MSS. (Bodleian), c. 934, fol. 5; reprinted in *New Eng. Hist. Gen. Reg.*, XXVI. 64.

[3] Massachusetts Archives, III. 4; C. 2, 34.

[4] *New Eng. Hist. Gen. Reg.*, XLV. 162–163; George Sherwood, *American Colonists in English Records* (1st series, 1932), pp. 38–39. Weld wrote later that Bridges's gift to the college "was paid vs in wollen cloath; but when it was about to be sent; we received order from ye Governour & Trustees of ye Coll. to pay it to Alderman Oldham in London, for so much rec'd in N. Engl: by Mr. Sparrowhawk for ye vse of ye Colledge. So we paid that 50*l* to him & received his acquittance." Of the £20 for "clothing of the poore," Weld said, "we sent 5*l* to Mr. Hooker, & as much to Mr. Simes, to distribute, & ourselves sent ye rest according to ye trust." Rawlinson MSS., c. 934, fol. 29b.

diverse Gentellmen & merchants in England towards the furnishing of the [Harvard College] Library with books to the vallue of an hundred & fifty pound."[1] It is likely that various other small donations were secured, but the dates of their receipt and the names of the donors are uncertain.[2] By the end of their first year abroad, however, the agents had gathered nearly £2,000 in money and supplies for the languishing Bible Commonwealth, no small achievement in view of the conditions under which their work was done. But even before all the goods were shipped to New England, Peter had become deeply involved in another phase of the enterprise, that of driving on the reformation of the English Church and State; and as at this point Hibbins returned to Massachusetts, Weld temporarily was left alone to collect money and to oversee the details of the begging mission.

The first great opportunity to promote the work of reformation came before civil war formally began. Little more than a month after the agents landed in Bristol, the Irish broke out in fierce rebellion. Discontented because of religious and economic conditions, thrown into governmental disruption by the trial and execution of Strafford, and encouraged by the success of the Scottish rebellion and by the weakened position of Charles I, the Irish rose against the English on October 23, 1641.[3] Murder, torture, atrocious cruelty, and plundering followed. No English person—man, woman, or child—was spared. Between eight and ten thousand English people, many of them Puritans, were killed, though the exact number is difficult to determine because, as is common in such cases, highly exaggerated figures were given.[4]

Reports of the rebellion soon reached London, reports of a dazed and panic-stricken people: thirty thousand English Protestants, it was said, had been murdered by the Irish fiends; all the remaining English were in grave danger; the king was in league with the Irish to suppress the Protestant religion; the cause of truth—Puritan truth—was at stake. The accounts, of course, were highly colored, and the Irish had forged a commission under the king's Broad Seal to seduce people to their ranks.[5] The

[1] *Publications* of this Society, XV. 175.

[2] Weld recorded later that some donors "laid out for Utensills for the Colledge by theire [the college overseers'] desires as pewter, bras, Ironware, lynnen, . . . Bookes to supply theire Library. . . . others gave some cloth woollen and lynnen, all which was sent with directions, some gave publique Faith bills, for which wee laid downe as much ready money as the bills procured, and accounted for." Weld to Steele, January 2, 1649/50, *New Eng. Hist. Gen. Reg.*, XXXVI. 62–64. It is impossible to learn whether these gifts are included in or are in addition to the items of Weld's imperfect accounts.

[3] Thomas Carte, *The Life of James, Duke of Ormond*, I. 279–378.

[4] *Id.*, II. 52; John Borlase, *History of the Irish Rebellion* (copy revised by the author, in Stowe MSS., 82, British Museum), pp. 19–34.

[5] Borlase, *History of the Irish Rebellion*, pp. 19–34.

rebellion itself was aimed as much against the king as against parliament. But Puritans could easily believe, or pretend to believe for political effect, that the king was fostering it to befuddle the issues at home the more. As Irish depredations continued, news of fresh outrages reached London every week: the Protestants, it was reported, were outnumbered ten to one; the papists were threatening to murder them all; multitudes of "distressed poor People, who were stripped of all they have by the Rebels," were pouring into Dublin; and unless help arrived speedily the English in that city could hold out no longer.[1]

Irish events greatly affected the progress of reformation in England. Just as the Puritans were about to assume the offensive against prelacy, the papists forced them to take the defensive once more. The Puritans were eager to assist their Protestant brethren in Ireland with soldiers and supplies. Parliament voted a three-day fast and set up machinery over all England to collect relief contributions.[2] No doubt this collection absorbed moneys that might have been turned towards New England, but the Massachusetts agents, in full sympathy with the objects involved, readily lent aid to the new enterprise as one entirely consonant with their commission.

The question of sending soldiers to put down the Irish rebellion led to a protracted struggle between king and parliament over the control of the proposed troops. Charles had been in Scotland when the rebellion began, but he quickly took steps to suppress the Irish. He sent commissioners, arms, and supplies out of Scotland to the English troops in Ireland, and dispatched messages to parliament urging an immediate grant of money to enable him to raise forces to crush the revolt.[3] Parliament, likewise, sent armed men to Ireland, but it was suspicious of the king, hesitant because of rumors that he was in league with the papists, and fearful lest he use an army, ostensibly raised to crush the Irish, to browbeat parliament and to defeat its designs.[4] Thus throughout the winter of 1641–42 parliament

[1] Report of the Council for Ireland, November 15, 1641, in John Nalson, *An Impartial Collection of the Great Affairs of State* (London, 1682–3), II. 737; *The Last Newes from Ireland of the Rebel Papists* (London, 1641), unpaged; *A True Coppy of a Letter from Ireland* (London, 1641), pp. 1–2. Sir Philip Warwick wrote (*Memoirs of the Reign of King Charles I*, p. 199) that "in one week they [the Irish] massacred very near one hundred thousand persons, men, women, and children." Probably less than one third of that number of English people were in Ireland in 1641. See also *A True and Credible Relation of the Barbarous Cruveltie and Bloudy Massacres in Ireland*, 1641 (London, 1642), pp. 1–8.

[2] *C. J.*, II. 462–463, 467 ff.

[3] Borlase, *History of the Irish Rebellion*, pp. 38–39.

[4] *Id.*, pp. 25, 52; Carte, *Ormond*, II. 1–50; Warwick, *Memoirs*, pp. 199–200; John Turbervill to John Willoughby, January 29, 1641/2, *Trevelyan Papers* (Camden Society Publications), III. 216–217.

sparred with the king, and little effective action was taken by either side to put down the Irish uprising.

The delay occasioned by this controversy caused many zealous Puritans to become impatient. They believed that the revolt should be crushed before it reached greater proportions. Yet they were loyal to parliament, and were unwilling for that body to forsake its pretended prerogative over the army even for the sake of speedy action in Ireland. They were torn between the two desires until someone suggested a way to crush the Irish, help the Protestants in Ireland, and, at the same stroke, leave parliament free to oppose the king's claims. It is not recorded who originated the plan, but early in February, 1641/2, "divers well affected persons" petitioned parliament for the right "to raise Forces upon their own charge, and to maintain them for the reducing of the Rebels of *Ireland* into obedience, and after to receive such recompence out of the Rebels estates as the Parliament should think fit."[1] In other words, the petitioners asked permission to form a corporation which would secure the means with which to fight the Irish, provided that, when the rebels were conquered, the subscribers should receive recompense in Irish lands.

The petition was favorably received, and, as the promoters appeared to have ample funds subscribed for an expedition, parliament quickly introduced and passed (March 19, 1641/2) a bill embodying their proposals.[2] Immediately the Adventurers for Ireland, as the promoters were called, hastened to get in their funds and to arrange for the expedition. Evidently, however, a large proportion of their money had been only promised, not paid, and cash came in more slowly than had been anticipated. Unless haste were made, the spring and summer months would pass with nothing effected. Meanwhile English officers in Ireland were reporting that speedy action by an adequate, properly equipped force would end the rebellion and reduce Ireland to its former subjection. King and parliament were so hopelessly at odds that no effective action in Ireland could be expected immediately from either source. The Adventurers for Ireland were the Puritans' only hope.

At first the Adventurers planned to send 5,000 foot soldiers, 500 horse, and 15 ships to guard the coast, all to be added to whatever forces parliament might be able to send.[3] But when money failed to come in, plans were altered and action was postponed, until it appeared that the Adven-

[1] *A Continuation of the Passages in Parliament*, No. 5, February 7–14, 1641/2, p. 38; Rushworth, *Historical Collections*, IV. 553, 556–557, 564–565.

[2] Henry Scobell, *A Collection of Acts and Ordinances* (London, 1658), pp. 26–35; *A Perfect Diurnall*, February 21–28, 1641/2, p. 6; Carte, *Ormond*, II. 305–306.

[3] [Hugh Peter], *A True Relation of a Voyage for Ireland* (London, 1642), p. 3. Peter's pamphlet was, in effect, an official account of the entire expedition.

turers would accomplish nothing. Finally, in June, 1642, a group of Puritan merchants and gentlemen, headed by Sir Nicholas Crispe, Maurice Thompson, Gregory Clement, William Willoughby, and Thomas Rainsborough, "as well out of their pious and charitable Disposition towards their distressed Brethren . . . as also out of their loyal Respect to His Majesty, and Detestation to that Rebellion," announced their readiness by themselves to send twelve ships and six pinnaces, with soldiers, cavalry, and sailors, in order

> . . . to reduce the Rebels in the said Realm of Ireland to their due Obedience, and (as much as in them shall lie) to prevent and hinder all such Supplies as shall be sent unto the said Rebels, and likewise, by all possible Ways and Means, to assist and help His Majesty's good Subjects there, and to infest, spoil, and waste the said Rebels by Land and Sea. . . .[1]

Parliament readily approved the plan and permitted the undertakers to assume the task with as many as 1,000 horse and 2,000 foot soldiers. For their further encouragement, parliament permitted them to "hold and enjoy to their own Use, without any Accompt whatsoever, . . . all Ships, Goods, Monies, Plate, Pillage, and Spoil" which they might seize.

Thus encouraged, the undertakers quickly gathered volunteers, hired soldiers, and purchased supplies for an expedition. One thousand foot soldiers, about five hundred seamen, fifteen vessels, and a quantity of arms and other supplies were obtained. Lord Brooke was appointed general, but he remained in England to arrange for still larger forces which the undertakers hoped to be able to send later. Alexander Lord Forbes was placed in actual command of the expedition as lieutenant-general under Lord Brooke, although the king did not concur in the appointment. Before the end of June, the "additional forces," as they were called, were ready to go; on the twenty-ninth, after a day of fasting and prayer, the little fleet set sail from Dover.[2] And in the company was Hugh Peter.

Although in many ways it seems surprising that Peter should have appeared to abandon his New England business to join the Forbes expedition, his action is not wholly inexplicable. There was, of course, an opportunity for personal profit; there was also a chance that the profits might be turned to the benefit of New England. Many of the undertakers of the expedition were Peter's friends of long standing: Lord Brooke, Lord Say and Sele, the Earl of Warwick, John Humfry, and others. Thomas Andrews, John Pocock, Gregory Clement, Richard Shute, and Thomas

[1] Charles H. Firth and Robert S. Rait, *Acts and Ordinances of the Interregnum*, 1642–60, I. 9–12.

[2] Peter, *True Relation*, p. 4.

Vincent were also financially interested in the plan.[1] Of these men at least Vincent, Andrews, and Pocock had been investors in Massachusetts Bay; they had given or soon were to give liberal contributions to the colony; and they might contribute more if they were properly encouraged. Further, Lord Forbes himself was a kinsman of Peter's former friend and colleague in Holland, John Forbes; and other officers with the force had even more intimate connections with Peter. Among the commanders of the land troops, John Humfry was sergeant-major. Among the leaders of the naval forces, Captain Thomas Rainsborough was vice-admiral; his brother William, who was also with the fleet, had been an inhabitant of Charlestown, Massachusetts, while Peter was in New England, and probably the two men were known to each other.[2] Lastly, and perhaps most important of all, the admiral of the fleet was Peter's half-brother, Benjamin Peter, a merchant of London.[3] Any or all of these men might have enlisted Hugh Peter's services for the Irish expedition. Besides these personal elements, however, it is well to recall that Massachusetts had commissioned its agents, among other things, "to further the work of reformation of the churches" in England, and that Peter held this object uppermost in his mind. Though the Irish scheme was in part a commercial enterprise, it had a pious objective as well: to help crush the papist revolt which endangered the progress of the reformation in England, to root out hated Catholicism, and to plant godly Protestantism in its stead. Had Peter been asked to justify his action in accompanying Forbes, his answer would probably have been that he went to destroy Antichrist in Ireland, whence it threatened to undo the work of thousands of righteous persons in England. It is significant that no one at the time demanded any such explanation of him, not even those back in Massachusetts.[4]

Whatever impelled him, Hugh Peter sailed with Lord Forbes as a chaplain, probably on Benjamin Peter's vessel, when the ships left Dover. It is unnecessary, for the purpose at hand, to describe in detail the activities of Forbes's expedition. Peter was with him for only three months, after which he returned to England. During this time, the forces from England engaged in several skirmishes in Ireland and relieved distressed Protestants in the southern and western parts with foodstuffs and military

[1] I have gathered the names of men connected with the expedition from a variety of sources. See especially Peter, *True Relation*, p. 4; *C. J.*, v. 191; *L. J.*, vi. 155b; ix. 165a; Firth and Rait, *Acts and Ordinances*, i. 9–12; Scobell, *Collection of Acts*, p. 27.

[2] *C. J.*, iii. 133–134; *New Eng. Hist. Gen. Reg.*, xl. 168–169.

[3] Peter, *True Relation*, p. 4; *A Relation of the Svndry Occurrences in Ireland of the Additionall Forces by Sea* (London, 1642), unpaged.

[4] The author, at least, has found no indication of either disapproval or approval by Massachusetts leaders either in 1642 or later.

supplies. But little of permanent value was effected because of the small numbers and inadequate support of the expeditionary forces. Moreover, as Forbes's commission was not signed by Charles I, English officers in Ireland, who were more inclined towards the king than towards parliament with regard to the English quarrel so rapidly approaching a crisis, refused to coöperate with Forbes. Unfortunately, their action lent color to the Puritans' charge that the royalists were in league with the Irish, and, when Forbes attacked Irish rebel and English royalist alike, he tended to unite them against parliament and thus to begin the Civil War in Galway before king and parliament clashed in England.[1] That Protestant king and Irish papist were allied in an anti-Protestant cause became a charge well embellished and effectively employed as parliamentary propaganda, especially by the Massachusetts agent who served Lord Forbes as chaplain.

On September 29, after Forbes had captured the castle of Glyn, the stronghold of the royalist Thomas Fitzgerald on the river Limerick, Peter returned to England to bring letters from Forbes to parliament and to report the achievements of the expedition. Just before he sailed, Forbes's ships had captured two naval prizes, vessels attempting to bring relief to Irish rebels. As the prizes represented the most considerable accomplishment of the enterprise, particularly from the point of view of potential plunder and profits for the undertakers, Peter placed great emphasis upon this feat when he arrived in England. By such means, despite the actually meagre success of the undertaking, he managed to make his return appear like that of a herald announcing glad tidings of his master's triumphs. Nearly three weeks before, it had been reported in England that Forbes had had great victories in Munster and that he had taken Galway and other coastal towns. Now the news-sheets reported:

> M. *Peters* the minister comming lately out of *Ireland*, brought *Letters* to the house, signifying, that the *Marchant Adventurers* have taken five ships that were comming out of *Spain* towards *Washford* in *Ireland*, to aid the Rebels, and had taken therein great store of Arms and Ammunition, which is conceived to be of the value of about 200,000*l* and that five ships are gone from *Dublin* towards *Washford*, to prevent the bringing in of any aid to the Rebels there.[2]

Either because he believed it himself or because he saw the propaganda value of such reports, Peter was careful to state that these vessels had been sent from Spain or from France and that there was imminent danger of a

[1] For accounts of the Forbes expedition, see, in addition to references cited above, *The Last and Truest Intelligence from Ireland* (London, October 17, 1642); *Desiderata Curiosa Hibernica* (Dublin, 1772), II. 194–212; Edmund Hogan, editor, *The History of the Warr of Ireland by a British Officer;* Mary Hickson, *Ireland in the Seventeenth Century*.

[2] *A Perfect Diurnall*, No. 15, September 19–26, 1642.

union being effected between the Irish rebels and the Catholic countries of the Continent.[1] Further, he made it clear that in all these proceedings the king had been hoodwinked into a conjunction with the popish rebels; that the entire affair was a malignant plot of Satan to overthrow the glorious reformation of England; and that the case was complete when the king, deluded by wicked advisors, had defied parliament at Nottingham on August 22.

With the Civil War actually under way in England when Peter returned, it was difficult to impress people with the accomplishments of the Forbes expedition; but the undertakers needed to be assured that their money had not been wasted and that, with a little larger investment, they might reap fruitful Irish harvests. However, on the very day that Lord Forbes's letters were read in parliament, London was thrown into panic by reports that the king was marching upon the city with a great force. Within ten days king and parliament faced each other on Edgehill field. With such convulsions at home, England no longer could be greatly concerned with Irish affairs.

Nevertheless, Peter delivered Forbes's letters to both houses of parliament, and they were read on October 12.[2] Forbes said little of his exploits, leaving Peter to tell whatever the circumstances demanded. His lordship confined himself to a description of the miseries of Ireland, to offering advice for the better regulation of Irish affairs, to demands for larger forces and more supplies, and to lamentations over his inability to subdue the Irish without greater military aid.[3] In his letter to William Lenthall, Speaker of the House of Commons, Forbes wrote (September 28, 1642):

I Had a purpose to have sent you a full relation of all our proceedings heere in Ireland, but this bearer Mr. Peters, *who hath beene an eye-witnesse, can out of his* Diurnall *give you more full satisfaction and acquaint you with these things, that are most requisite for the subduing of* Ireland, *which will be an easie worke, if it be yet taken in time, and rightly prosecuted; for I dare say five or sixe thousand men well commanded and well provided for, could take both* Limerick *and* Galloway, *and so end the Warre before* Christmas, *for the strength of the Rebellion lies here, and there would be no difficultie in subduing the rest, Mr.* Peters *will acquaint you what was my purpose; but I dare not goe beyond my limits, the Countrey diseases as Fluxes and*

[1] *The Weekly Intelligence from Several Parts of this Kingdome*, October 10–18, 1642, reported (p. 10) that the five captured ships had been sent "all at the charge of his Holynesse for the defence and support of the Catholick cause. . . ." See also, *A Continuation of Certain Speciall & Remarkable Passages*, No. 15, October 10–14, 1642; *Special Passages and Certain Informations from Severall Parts*, No. 10, October 11–18, p. 85.

[2] *L. J.*, v. 397a.

[3] Both of Forbes's letters sent by Peter to parliament were published as advertising sheets for the undertakers. See *A True Copie of Two Letters Brought by Mr. Peters, this October* 11, *from my L. Forbes from Ireland* (London, 1642).

Feavours have mightily weakened these few men I have, yet blessed be God we have done good service as could be done with so many men, as you will perceive by Mr. Peters *Diurnall; to the which, and his own Relation, and the Copies of the Letters I have sent, I remit all further.*

. . . *Mr.* Maurice Thomson *will acquaint you with what is necessary to be proposed to the House in the behalfe of poore distressed* Ireland; *and I neither doubt of his sufficiency in proposing, your willingness to doe that good is respected from you: so at this time I will trouble you with no longer Letter; but shall be much rejoyced to heare from you, of the happy and long wished for agreement betwixt his Majestie and the Parliament: for which I shall never cease to pray. . . .*[1]

Hugh Peter's "Diurnall," to which Forbes referred the House of Commons, was a day-by-day account of the movements of the expedition. By an order of the Commons on October 20, it was published as *A True Relation of the Passages of Gods Providence in a Voyage for Ireland. With the additional Forces sent for reducing of that Kingdome by his Maiesie and Paliament. Wherein every Dayes worke is set downe faithfully by H. P. an Eye-witnesse thereof, under the Command of Alexander L. Forbes, Lieutenant Generall under the L. Brooke for that Service; from the 29 of June to the 29 of September. 1642. Likewise, Severall Observations Concerning that Kingdome, and the Warres there: As also, the Interception of the Enemies Letters.*[2] At the end of his Journal, Peter summarized the results of the Forbes expedition:

So that to summe up our voyage, it comes to thus much, in two or three moneths time God helped us to take five ships, worth (if sold to value, above twenty thousand pounds, we burnt as much corne, as that summe came to, slew of the enemy many hundreds, fired many Irish Towns, relieved many English in Forts and Castles, tooke and spoyled thousands of cattle) burnt and spoyled many Castles, houses of note, and milk of the enemy, guarded the coast from *Kinsdale*, almost to *London-Derry*, blocked up *Limericke*, and *Galloway*, and diverted them still as we went from other designes; fighting with them whenever we came, and lastly taking in that lovely and usefull castle of the Knights of the Valley [Glyn], where we left our men ready for further service, which expired for which our ships and men were hired.[3]

His evaluation exaggerated to some degree the usefulness of the enterprise, but in view of its objects, the size of the force, and the complete failure of the undertakers to send a still larger force to follow up Forbes's work (as had been planned), Forbes's showing was not wholly discreditable. Subsequent events in England prevented immediate prosecution of the Irish

[1] *True Copie of Two Letters*, pp. 5–6.

[2] The imprint reads: "London. Printed by Lvke Norton, for Henry Overton, in the Yeare MDCXLII."

[3] *True Relation*, p. 19.

designs, and Forbes's accomplishments were nullified. These eventualities, however, cannot justly be blamed upon the expedition or its leaders. The basic plan of the enterprise was never carried to completion.

To his *Relation* Hugh Peter appended twelve "Briefe Observations concerning the Warre, and The State of *Ireland*, both for the raising and laying the Rebellion," and an equal number of "Cures" for Ireland. In the latter, he added nothing to the advice offered in Forbes's letters except to urge the need of good, faithful ministers; but in his "Observations," Peter appears to have had his eye as much on the situation in England as on that in Ireland. He was convinced that the Irish rebellion and the royalist opposition to parliament were but different parts of the same thing. "Popery," said Master Peter, "suffered among the Irish, and prophanenesse amongst the English, have been the Parents of this Monster; though it might have other Midwives and Nurses . . ."; and he added that "An Irish Rebel and an English Cavallier in worde and actions we found as unlike as an egge is to an egge." All the Irish, he continued, professed that they fought "by the Kings Order for the Kings Honour, that wee were his enemies not they," that the king had promised freedom of religion to the Irish in return for their assistance, and that nearly all the royalist officers in Ireland had covenanted with the rebels. These beliefs became widespread in England, and parliament fostered them in order to unite people under its banner by fear of a foreign invasion led by the king—for many persons otherwise loyal to Charles and to the Church of England would take up arms against the king if they were convinced that he was allied with papists abroad.[1] Much of the ferocity displayed by parliamentary soldiers against Cavaliers was inspired by such beliefs, and Hugh Peter was foremost in spreading this propaganda.

Although Peter did not rejoin Lord Forbes, who persisted in his ineffectual attempts in Ireland for several months longer, there is no evidence that he actively resumed the cause of New England's economic relief. In fact, with a war in progress in England, the conditions were hardly favorable for such an undertaking. Much to the chagrin of both parties, the early military encounters were indecisive, and, as winter drew near, the king retired to Oxford for the season. Pen and paper temporarily took the place of gun and pike; propaganda, manifestoes, petitions, charges and countercharges arose from all sides. But in view of the king's strength on the field of battle, his initial financial advantages, his diplomatic prestige,

[1] See, for example, *C. J.*, III. 91; a committee of parliament was appointed in 1643 "to prepare a Declaration, to set forth, That the Rebellion in *Ireland*, and this in *England*, spring from one Head; and are managed with concurrent Counsels to one End; for the utter Overthrow and Extirpation of the Protestant Religion. . . ."—and this was done just after a committee had been appointed to prevent the spread of "false rumors"!

and his growing popularity with conservative folk, who drew back in horror from the rebels who dared to oppose the sovereign, many people about London, including members of parliament, came to desire peace with Charles at any cost.[1] It was a black outlook for Puritans.

The part which Peter and Weld played in this maelstrom of events is very indistinctly recorded, but there could be no doubt as to which party they would espouse. For the moment, when the Puritan cause hung in the balance, there was no time for dissension in Puritan ranks. Presbyterian and Independent were allied in opposition to the king's party. To Peter and Weld, the most important things to be done were to prevent any treaty with the king that did not grant Puritan demands, and to strengthen the parliamentary forces for the struggle in the coming season. Like many of their colleagues of the cloth, they plainly wished a continuance of the war when it became apparent that Charles would not concede Puritan demands.[2] Accordingly, to counteract the growing sentiment in London favoring "a peace at any terms," Peter joined Jeremiah Burroughs and John Goodwin, Puritan ministers, Sir David Watkins, a Mr. Shute, and "fourscore and fifteen more" to frame a petition to parliament against any accommodation with the king that was not "safe and honourable."[3] It was the petitioners' intent, said a contemporary news-sheet,

> . . . not onely to subscribe the Petition in generall tearmes for peace (so framed as aforesaid) but humbly to present to the Parliament a particular of the grievances which they desire to have redressed; and if the Parliament approve thereof, resolve to insist upon the having of the same; if denied by the King (seduced by evill Councellors) that then every man that hath or shall subscribe that Petition shall truly declare and oblidge themselves with life and fortune to assist the Parliament, till the King be brought to his Parliament, and matters concerning Religion, Lawes, and Liberty be setled. . . .[4]

The requirements for a "safe" peace were divided into two groups, one "concerning religion," the other "concerning priviledges of Parliament." As part of the former, the petitioners desired "his Majesty no longer to delay the passing a bill for a Synod," and demanded that the king abolish pluralities in the church, and remove idle, vicious ministers, replacing them with those of godly, sober life and, presumably, of a Puritan trend of mind. With reference to parliamentary privilege, the king was requested

1 Samuel R. Gardiner, *History of the Great Civil War* (London, 1893), I. 67–76.

2 "Our militant Evangelists," wrote a Cavalier, "Dr. Bayes, Dr. Downing, Mr. Marshall and Sedgwicke, whose consciences start out of the way at a white surplesse, but never boggle at garments rolled in blood." "An Honest Letter" (1642), T. W. Webb and John Webb, *Memorials of the Civil War as it affected Herefordshire*, I. 180 *n.*

3 *Speciall Passages*, No. 18, December 6–13, 1642, pp. 152–153.

4 *Id.*

to acquit the five members, respect the privileges of parliament thereafter, and consent to parliamentary control of the militia, the navy, and the courts.

In order to gain these ends, the petitioners assured parliament of their unwavering support with money, men, and supplies. Although they had already expended much, "By all which they hoped to have seen the end of their dangers and removall of their feares . . . and to have been by this time settled in the enjoyment of that happy Peace they have always desired," still they cheerfully would give more "so as it may be employed in a more speedy and effectuall prosecuting of the Warres," until the just aims thereof be realized.[1] But, the petitioners repeated again and again, do it now without further procrastination and vain negotiations, raise an adequate army, select active leaders, levy "upon Papists and Malignants, as well as they have done upon us," and, above all, consent to no treaty except one which stipulates "those honourable and safe conditions which have sundry times been presented by both Houses, and expressed by Master *Pym* in Guild-Hall. . . ."[2]

The petition was delivered to the House of Commons by Shute on December 1, 1642. The House admitted him, read the document publicly, but refused to receive it formally until it had been approved by the lord mayor and the Common Council of London. When the city officials saw it, they debated for some time, and "at last by most voyces the said petition was rejected and throwne out of the Court."[3] Meanwhile, the peace party, learning of this petition, framed a counter-petition, which they took to the Guildhall for the Council's approval on December 12, while the Council was considering the demands of Peter and his associates. Allegedly five thousand strong, the peace party crowded about the hall with cries of "Peace! Peace!" "Peace and truth!" replied Peter's party. "Hang truth! let us have peace at any price!" was the shocking reply.[4] Thus "words agravated, and ill language, caused spleen and choller to arise on each parties [*sic*]," and a riot followed.[5] The few soldiers present at the Guildhall were unable to quell the disturbance, and a body of the city train-bands was called to restore order. The Common Council judiciously rejected both petitions and framed those of its own, one for parliament and one for the king, asking for peace on reasonable conditions so that both parties could claim victory.[6]

[1] *The True and Originall Copy of the first Petition which was delivered by Sir David Watkins, Mr. Shute, M. Peters* (London, 1642), unpaged.

[2] *Id.* [3] Gardiner, *History of the Civil War*, I. 75. [4] *Id.*

[5] *True and Originall Copy of the first Petition.*

[6] Gardiner, *History of the Civil War*, I. 75.

Peter and his fellow-petitioners did not let the matter drop without gaining their point more decisively. At the end of the following March, when it was apparent that the negotiations with the king in the proposed Treaty of Oxford were doomed to failure, a new petition was presented. This document chid parliament for pausing in the war to waste time in fruitless dealings; it stated that the king, by his obstinacy in the parleys, was demonstrating that, despite the rule that the king could do no wrong, the injuries suffered "proceeded not from evill Counsellers, but from the King himselfe"; and they asserted that the king had "no such eminent power in Parliament, but that they may conclude any thing which they thinke expedient for the Kingdome, and that whatever they concluded was to bind His Majesty without the Royall Assent."[1]

This petition was submitted to the London Common Council by Mr. Steele, a lawyer well known in Puritan circles, accompanied by Sir David Watkins, Captain Mainwaring, Master Shute, and others "of the same feather." These men desired the Council to read and approve the document so that they might present it to the House of Commons at once. When asked who had drawn it up, Steele replied that it was prepared "by the advice of the best *Lawyers* and *Divines* in the City." In a contemporary account of the affair it was further reported that as the aldermen filed into the Guildhall, Hugh Peter, "one of the *Amsterdamians*, that now rules the roost, and passeth in the number of their best *Divines*, stood at the hall doore, and earnestly pressed every man as he went in to have a care of that Petition. . . ."[2] Evidently Peter's buttonholing had some effect, for the lord mayor, Isaac Pennington, and several aldermen favored the petition. Ultimately, however, it did not meet with approval and "died in committee."[3] Peter salvaged the ideas expressed in it by presenting them in a modified form in a Fast Day sermon on March 29, 1643. With several members of parliament in his congregation, he took advantage of the occasion to tax the king for his obstinacy and to chide parliament

> . . . for abusing the people, in that they had fooled them all this while with hopes and promises of a *reformation*, and now would leave the worke and make peace without them; and therefore that it did concerne all them that had taken the *Protestation* to hold up their hands, and stick unto the cause themselves.[4]

[1] *Mercurius Aulicus*, April 2–9, 1643, p. 170. As this news-sheet was radically royalis in its bias, its reports must be accepted with great care. I have been unable to check this particular account against any other contemporary relation; this account is accepted because Aulicus's stories of this sort usually have a basis in truth, and this particular one, in view of foregoing circumstances, seems credible.

[2] *Id.*, pp. 170–171. [3] *Id.*

[4] *Id.* John Saltmarsh, later Hugh Peter's fellow-chaplain in the army, preached the same ideas at this time. Cf. *A Peace but No Pacification* (London, 1643).

One Edward Dobson, who heard the sermon, protested vigorously against this "new Gospell, which teacheth us (as he saies) to rebell and resist the King." Likewise he objected against "the ministers who brought it ouer from New-England, the Land of *Canaan*, As Mr. Peters, whose zealous Doctrine we have stayed so long to heare on a Fast day...."[1] By such means, Peter strove to drive on the cause of reformation in his native country, and, as the royalists and the peace party would have said, "to make the worse appear the better cause." In the light of subsequent events, it is evident that Weld upheld similar principles, though less vociferously; but his activities secured no such place in contemporary accounts as did Master Peter's. How much influence either of them wielded on the course of events it is impossible to determine. Probably the king, by his stubbornness in the negotiations at Oxford, was the chief cause for the continuance of the war; but the Massachusetts agents contributed towards that end,[2] not because they loved war but because they hated a peace without reformation.

While for this reason they were pressing forward the war against the king, the agents were not entirely neglectful of the material objects of their mission to England. Indeed, although Peter had appeared to leave the cause of the economic relief of Massachusetts entirely in Weld's care, it is likely that by his usefulness in the parliamentary cause Peter so ingratiated himself with members of parliament that the case of Massachusetts received an attention in both houses with which it would not have been honored had it been presented by another, less forward representative.

No better example of the agents' attempts to combine English affairs with Massachusetts business can be found than in their exertions during the winter of 1642–43. As events had developed, there was no longer any question that parliament was the only body from which the agents could expect favorable action with regard to excise duties. Furthermore, Peter had hit upon an idea whereby, at a single stroke, he hoped both to relieve suffering in Old England and to supply New England with a much needed commodity—labor. While he was in Massachusetts, he had noted the need for man-power to establish local household manufactures for the supply of clothing and other necessities. "Manufactures cannot *sine manibus*," he had written to Governor Winthrop.[3] Now he had the needed supply of hands if he could secure their transport to the colony.

[1] *XIV Articles of Treason and Other Misdemeanors Exhibited to Isaac Pennington* (Oxford, 1643), pp. 2–3.

[2] Increasing attention to Hugh Peter in royalist pamphlets is evidence of his part in urging on the war. For his pains, he was impeached for high treason by the king. Cf. *An Answer to the Articles against Master Calamy, Master Martiall, Master Burton, Master Peters* (London, 1642).

[3] 4 *Coll. Mass. Hist. Soc.*, VII. 201.

Just before he left Ireland in the autumn of 1642, his half-brother, Admiral Benjamin Peter, together with Captain Daniel, both commanders in Lord Forbes's fleet, had been directed by his lordship to "carry away the poor naked people that we found in such distress [in Ireland] being about 500."[1] Most of these were English Protestants; many of them were children orphaned by the Irish uprising, homeless and poverty-ridden. Carried to England, they had no place to go. At the same time, hundreds of English children, many of them orphans and bastards, roamed the streets of London with no one to care for either their bodies or their souls. In England they went "rogueing up and downe . . . not being imployed in any honest and lawfull calling"; but in New England they might "in time become useful servants, and this Land will be unburthened of many unnecessary and idle people."[2] As early as 1622 it had been suggested that London urchins be shipped to New England.[3] Now, in January, 1642/3, Peter presented to parliament

> The humble Petition of divers Inhabitants of *New England*, that are here intrusted for the Affairs of that Plantation, concerning a Collection to be allowed them, on the Two next Lord's Days, in *London*, and the Parishes thereabouts, for Transplanting of poor Children driven out of *Ireland;* and other poor fatherless children of this Kingdom, that are out of Employment. . . .[4]

Parliament readily granted the petition and appointed Henry Walker and Edmund Calamy as receivers of such money as might be collected by free contributions from all the parishes of London, Westminster, Southwark, and adjacent areas "on the Two next Lord's Days"; and it was left to Lord Mayor Pennington "so to appoint this Collection, that it may not be on the same Day as that for *Ireland*."[5]

Peter, with Weld's assistance, probably was extremely busy early in February organizing this new drive for funds. Together they collected money from persons with whom they had connections outside London—in Dedham, Yarmouth, Sudbury, Wrentham, and Terling; from persons about London, including Lady Armine; and from as many parents and relatives of the children as were able to donate anything.[6] The receivers

[1] Peter, *True Relation*, p. 15.

[2] *Certain Informations*, No. 3, January 30–February 6, 1642/3, p. 2.

[3] Charles Deane, editor, "Records of the Council for New England," *Proceedings of the American Antiquarian Society*, 1867, pp. 61, 72–73, 85; Beer, *Origins of the British Colonial System*, p. 45.

[4] *C. J.*, II. 949.

[5] *Id.; Certain Informations*, No. 3, January 30–February 6, 1642/3, p. 22.

[6] See Weld's accounts in *Publications* of this Society, XIV. 121–126 (reprinted from Mass. Archives, LVIII. 3–4); *New Eng. Hist. Gen. Reg.*, XXXIX. 179–182 (reprinted from Rawlinson MSS., c. 934, fols. 19–21); Weld, "Innocency Cleared," Rawlinson MSS., c. 934,

for the London parishes paid in nearly £680, and Weld and Peter raised enough more to bring the total amount for the poor children's transportation to within a few shillings of £875.[1]

With such a large sum at their disposal, Peter and Weld should have been able to send more than a hundred children to New England.[2] But unexpected difficulties and expenses arose. The cost of maintaining the Irish children, who had been in England for several months, was a heavy drain upon the funds. To collect the urchins from all parts of London, convey them to Gravesend, whence they were to embark for New England, and supply the needy ones with clothing, medical care, and other necessaries—all these were items requiring heavy outlays. Moreover, once the children were assembled at Gravesend, the agents found themselves delayed by want of transport facilities. Then, when the ships did arrive, they were forced to wait for a favorable wind before they could sail. Meanwhile, five or six children fell ill with "some noysom and infectious diseases" and had to be rejected, much to the dissatisfaction of their relatives or guardians. Others, frightened by the strange proceedings or nauseated by a sudden overdose of Puritan piety, ran away and were not recovered. By such mishaps, Weld estimated that more than £300 of the total fund was dissipated. Finally, in the summer of 1643, twenty children were safely transported to New England.[3] How many more were taken later it is impossible to say. Records indicate that more did arrive in Massachusetts, but the number is not stated.[4] Over £200 of the money sent to the Massachusetts General Court for the poor children's care was misapplied;[5] and

fols. 26–30 (reprinted in *New Eng. Hist. Gen. Reg.*, XXXVI. 64–70). The writer of *XIV Articles of Treason Exhibited to Isaac Pennington* (said by Thomason to have appeared March 30, 1643) states (pp. 2–3): ". . . I cannot thus passe by Mr. Peters, a man that hath done so much good for us, especially by his indefatigable pains in every parish in *London* to find out those our many Babes borne out of the estate & Covenant of Grace (though by this Malignant [Edward Dobson] called Bastards) and conveyed dilligently to New-England, by whose meanes the obiects of our owne vilenesse are taken away from our perpetuall remembrance."

[1] Mass. Archives, LVIII. 3–4; *Publications* of this Society, XIV. 121–126.

[2] This assumes a transportation cost of £6 a child, which was a common rate for those days. Actually, the agents contracted with shipmasters at the rate of £5 a child. See Weld, "Innocency Cleared," Rawlinson MSS., c. 934, fols. 27b–28 (*New Eng. Hist. Gen. Reg.*, XXXVI. 66).

[3] Winthrop, *Journal*, II. 96. Were the "other passengers" whom the governor mentions Irish refugees transported by means of the children's fund?

[4] *Mass. Records*, II. 45, 89, 141.

[5] £150 went towards a house for President Dunster of Harvard College (*id.*, pp. 70, 84), and £50 was allowed John Winthrop, Jr., for expenses incurred in England on behalf of the colony (Winthrop Papers, I. 159, MSS., Massachusetts Historical Society). More of the children's fund was spent for soldiers to go with Captain Cook to Providence in 1643 (*Mass. Records*, II. 45), and a portion of the funds was later paid to Captain Rich-

there is evidence which gives considerable reason for believing that Emmanuel Downing and Nehemiah Bourne, who, as merchants, received £712, according to Weld's accounts, for the care and transport of the children, pocketed some of the money without performing any services for it.[1] Thus it is easy to discern that, as Weld said in his account to the General Court in 1647, Massachusetts had "little benefitt by all these moneyes, yea none Considering how great trouble the Court hath had about it. . . ."[2] Untoward circumstances, bad management, and downright dishonest dealings nullified nearly all the advantages which the agents had hoped to effect in Old and in New England by their plan.

At the same time that Peter petitioned parliament for permission to collect money for the children's transport, he begged that the people of New England might "have their goods free from the paiment of Customes, according to their Charters."[3] The House of Commons at once (January 31, 1642/3) passed a resolution "That the Inhabitants of the new Plantation of *New England* shall, according to their Charter, be custom-free for such Commodities as are granted by their Charter; and for so long a Time as is granted by the same charter."[4] A few weeks later, upon further negotiation, the Lords and Commons,

> . . . for the better Advancement of those Plantations, and Encouragement of the Planters to proceed in their Undertakings, *Ordain*, That all Merchandize and Goods, that by any Merchant, or any other Person or Persons whatsoever, shall be exported out of this Kingdom of *England* into *New England*, to be spent, used, or employed there, or being of the Growth of that Kingdom, shall be from thence imported hither, or shall be laden or put on board in any Ship or Vessel for Necessaries, in passing and returning to-and-fro; and all and every Owner and Owners thereof shall be freed and discharged of and from paying or yielding any Custom, Subsidy, Taxation, Imposition, or other Duty, for the same, either inward or outward, either in this Kingdom, or in *New England*, or in any Port, Haven, Creek, or other Place whatsoever, until both Houses of Parliament shall take further Order therein to the contrary. . . .[5]

ard Davenport "in pt of what the country stands indebted to him, for the Castle" (*id.*, p. 164). In addition, some appears to have been pocketed by Emmanuel Downing and Nehemiah Bourne (Mass. Archives, C. 5b; *Mass. Records*, II. 89, 141). Evidently the General Court used the children's fund as a convenient way to avoid unpopular taxes; if any of the moneys thus misapplied were replaced, I have found no record of it.

[1] Mass. Archives, C. 5b; *Mass. Records*, II. 89, 141; 4 *Coll. Mass. Hist. Soc.*, VI. 59–60.

[2] Mass. Archives, LVIII. 5.

[3] *Certain Informations*, No. 3, January 30–February 6, 1642/3, p. 22.

[4] *C. J.*, II. 949.

[5] *Id.*, pp. 987, 998; *L. J.*, V. 632b; VII. 75a–b; Mass. Archives, LX. 23; *Mass. Records*, II. 34; Winthrop, *Journal*, II. 96. Students of constitutional problems of British colonial policy might well note the early official use herein of the word "kingdom" as applied by parliament to "New England," i.e., to Massachusetts Bay. Employed before exigen-

The Act became effective March 10, 1642/3. Two and a half years later, parliament ordered that the exemption be extended to include excises.[1] This action caused the Massachusetts magistrates to free all parliament ships from payment of a six-penny tonnage duty—with "good reason," as Winthrop relates, for while the colony by its levy "might have gotten 20 or 30 pounds this year, . . . by the ordinance of parliament we saved 3 or 400 pounds."[2]

Besides these exertions on behalf of the colony in the winter of 1642–43, Peter and Weld assisted John Winthrop, Jr., in raising funds to establish an ironworks in Massachusetts. As has been noted before, the younger Winthrop had accompanied the agents to England in 1641. He had assisted them in prosecuting the New England business, had attended to various personal affairs, and had collected skilled workmen, money, and other supplies necessary for the establishment of his pioneer industrial enterprise. On March 23, 1642/3, Peter, with Winthrop and Emmanuel Downing, signed an agreement with one Nicholas Bond of Westminster whereby, in return for £100 invested by Bond in the projected undertaking, they agreed to "be accomptable vnto the said Nicholas Bond his executors administrators and assignees for the same, according to the trew entent and meaninge of these presents, without frauds, covenn or collusion."[3] Thomas Weld witnessed the agreement, and it appears that Peter, Weld, John Pocock, and various other Bay Colony benefactors invested in the project.[4] Winthrop prepared to sail for Massachusetts with his workmen and supplies in May, 1643, but was held up for six weeks by port authorities in England. A combination of unfortunate circumstances ultimately rendered the design fruitless, and such contentions arose that, as Hubbard wrote of it a few years later, "instead of drawing out bars of iron for the country's use, there was hammered out nothing but contention and lawsuits, which was but a bad return for the undertakers. . . .[5] Once again, through circumstances over which they had little or no control, the agents' exertions on behalf of the colony came to naught.

cies of civil war led parliament to assume complete control of colonial affairs by the creation of the Warwick Commission, the word suggests parliamentary recognition of Massachusetts Bay as a separate realm analogous to Scotland and Ireland and associated with England only by relation to an identical Crown. Evidently Weld and Peter, as instructed by Massachusetts magistrates, were taking pains not to compromise "charter liberties" or the constitutional position of the colony.

[1] *C. J.*, IV. 337 (November 10, 1645).

[2] Winthrop, *Journal*, II. 246.

[3] 4 *Coll. Mass. Hist. Soc.*, VI. 516.

[4] Mass. Archives, LIX. 13.

[5] William Hubbard, "A General History of New England," 2 *Coll. Mass. Hist. Soc.*, II. 374.

With the money and supplies collected in 1642, the contributions secured for the orphans' transport in the winter following, and the funds raised for the proposed ironworks, the agents had exhausted the sources of ready money available to them in England. It had indeed been difficult to solicit aid there for Massachusetts. Unfriendly persons had spread bad reports of its barren soil, its cold climate, and its lack of value to the mother country. Many merchants and gentlemen who had lost money invested in the colony lent weight to the stories, and the very fact that agents from thence had been sent on a begging mission to England gave further evidence of their truth. Moreover, the English people were not likely to be so receptive to beggars in the years after 1642. In the midst of a civil war, when both king and parliament were soliciting far and wide for men, money, plate, supplies, and aid of all kinds, when estates were being sequestrated and properties plundered, when trade was at a standstill because of the uncertainties of war, it was no easy matter to interest people in New England philanthropies. Besides, the agents were in competition with similar demands upon English purses, particularly with the appeals for the distressed Protestants in Ireland. Now that they had exhausted the generosity of New England's friends, they needed to advertise their pious campaign more widely and to break down the sales resistance of potential contributors.

The agents had already communicated this necessity to their friends in Massachusetts, with a request for publicity material. President Dunster of Harvard College responded in the autumn of 1642 with an account of the first Commencement, a brief description of the institution, and a summary of its rules and regulations. Here, at least, was conclusive proof that the college at Cambridge was no mere paper institution, as that in Virginia had turned out to be after its proponents had collected money from many English folk. Possibly John Eliot and others in New England supplied further suggestions. At any rate, it seems clear that during the winter of 1642–43 Weld and Peter assembled the data sent over to them, made additions of their own, and published the results as *New Englands First Fruits*.[1]

[1] Reprinted in Samuel E. Morison, *The Founding of Harvard College*, pp. 420–447. As to the authorship of this pamphlet, see Worthington C. Ford's critical study in *Proc. Mass. Hist. Soc.*, XLII. 259–266; Morison, *Founding of Harvard College*, pp. 304–305. It seems "almost certain," according to Mr. Morison, that Dunster "had the leading hand in compiling" the part of the pamphlet which refers to Harvard College, although "he did not actually write it." In the portion which deals with the Indians, the numerous references to Salem experiences (pp. 2, 3, 4) and that to Agamenticus (p. 9) suggest Hugh Peter's influence. Again, in the last part, the pamphlet's preoccupation with material affairs—fishing, cloth-making, the fur-trade, shipbuilding, and the West Indies trade; the comparison of New England's climate with that of Holland; the reference to the poor children, and the praise of New England's morality ("... one may live there from yeare to yeare, and not see a drunkard, heare an oath, or meet a beggar")—all

As its full title indicates, the pamphlet contains three parts, each designed to advance the cause of a needy Massachusetts enterprise. The first deals with the benighted condition of the Indians, who, although formerly they had adored "the *Divell* himselfe for their God,"[1] were now itching to receive the Gospel of Jesus Christ; the second describes Harvard College, its "very faire and comely" hall, its "large Library," its "learned conscionable and industrious" president, its "Rules and Precepts," and its first Commencement exercises, ending with the statement that "*All things in the Colledge are at present, like to proceed even as wee can wish, may it but please the Lord to . . . stir up the hearts of his faithfull, and able Servants in our owne Native Country, and here, . . . to advance this Honourable and most hopefull worke*";[2] the third part praises the climate, the government, the soil, and the outlook for prosperous staple commodities in Massachusetts—all with the plain intent of refuting the current ill reports of the colony and of demonstrating, in present-day publicity terms, "why people should invest in New England."

The pamphlet appeared early in the spring of 1643, and the agents waited anxiously to reap whatever harvest it might bring forth for the colony. Their hopes were not entirely disappointed: in May, Weld received £100 from Lady Ann Moulson, wealthy widow of a former lord mayor of London, Sir Thomas Moulson, and a zealous Puritan who had often donated to Puritan causes. Her gift was presented as a fund for needy "schollers," and it constituted the first scholarship established at Harvard College.[3] Weld signed a bond for the money, and he was shrewd enough to arrange that the stipend should go to his own son John "till he attaine the degree of a Master of Arts."[4] Besides this fund, the agents collected for the "colledge and for the Advance of learning" money, books, and other supplies to the value of at least £200.[5] The appeal for money to con-

these show traces of Peter's hand in the pamphlet. The reference to New England's morality, although an idea common at the time, is almost exactly like one of Peter's later expressions in *The Case of Mr. Hugh Peters by His Own Hand* (London, 1660), pp. 2–3.

[1] *New Englands First Fruits*, p. 1.

[2] *Id.*, p. 17.

[3] See Andrew McF. Davis's articles, "The First Scholarship at Harvard College," *Proc. Amer. Antiq. Soc.*, n.s., v. 129–139; "The Lady Moulson Scholarship at Cambridge," *id.*, VIII. 274–280.

[4] Davis, "The First Scholarship at Harvard College," *id.*, v. 133.

[5] Weld's accounts show £231 for the college, including Lady Moulson's gift. Mass. Archives, LVIII. 4; *Publications* of this Society, XIV. 121–126. He also reported various other sums for educational purposes, but the accounts are so confused and incomplete that it is impossible to determine the exact amounts. See also Hutchinson Papers, Mass. Archives, CCXL. 58.

vert the Indians was less successful. Lady Armine made the largest contribution for this purpose, an annual payment of £20 "for ever for ye Preacher to ye poore Indians in N. Engl:"[1] The other gifts for the benefit of the natives totaled only about £15. Despite the fact that in *New Englands First Fruits* they had boasted that there were no beggars in Massachusetts, Weld and Peter gladly received £31 15*s* for the "godly Poore." But the discouraging prospects for the parliamentary party in England in 1643 greatly curtailed both the number and the size of the contributions. Probably the agents, as well as the expectant people of the colony, were disappointed in the response to their written appeal.

By the late summer of 1643, Peter and Weld recognized that their usefulness as agents in England for Massachusetts, at least in a material way, was at an end. Indeed, they planned then to return to New England in one of the vessels hired to transport the poor children, but, as Weld wrote afterwards, "providence appeared clearly to stop us in our way, more than once or twice, in our ful intentions and preparations for ye voyage, putting such cross bars in our way that (indeed) we could not with good conscience break thorow them."[2] Just what was the quirk of providence that prevented their departure is not fully explained, but the reasons appear clearly enough. Peter's wife had by this time joined him in England. The poor woman had gone mad soon after he left Massachusetts, and in accordance with the practice of the time, though much to his anger and chagrin, the Salem church had excommunicated her.[3] His friends shipped her to England, probably under the care of Weld's wife, who also joined her husband there. Now, when Peter, Weld, and their wives planned to return to New England, the ship by which they had expected to sail was delayed "exceedingly late"; and the children, as has been said, were attacked by disease, so that Weld and Peter dared not venture "o^r^ owne & o^r^ wives healths & lives in a winter voyage."[4] Moreover, as Weld wistfully explained,

> . . . the p^r^sent condition of this kingdome, y^t^ is now upon the Verticall point, together wth ye incredible importunities of very many godly Persons, great & smale (who hapily conceive we by o^r^ p^r^sence doe more good here, then we

[1] Weld, "Innocency Cleared," Rawlinson MSS., c. 934, fol. 29b (*New Eng. Hist. Gen. Reg.*, XXXVI. 68).

[2] Rawlinson MSS., c. 934, fol. 29 (*New Eng. Hist. Gen. Reg.*, XXXVI. 68).

[3] No records are available to show the date or the circumstances of Mrs. Peter's excommunication or the date of her return to England. Opposite her name in the MS. Records of the First Church at Salem, 1629–1736, p. 7, is written "Excom." Weld's letter, which is quoted below in the text, is the only proof that she was in England at this time although there is proof that she was there later.

[4] Thomas Weld to the General Court, September 25, 1643, *New Eng. Hist. Gen. Reg.*, XXXVI. 39.

o^{r}selves dare imagine y^{t} we doe) have made us, after many various thoughts, much agitation, & consultation wth god, & men, vnwillingly willing to venter o^{r}selves upon Gods Providence here, & be content to tarry one six moneths longer from y^{r} & o^{r} churches most desired p^{r}sence with whom o^{r} hearts are, wthout the least wavering, fixed. Things can not long stand at this passe here, as now, but will speedily be better or worse. If better, we shall not repent us to have bene spectatours & furtherers of o^{r} Deare Cuntries good, & to be happy messingers of ye good newes thereof vnto you. If worse, we are like to bring thousands wth us to you.

If y^{r} selves were here & favor all things as they stand, & hard all argum^{ts} on both sides, we p^{r}sume you would advise, at p^{r}sent, not to disert the cause of Christ, & discourage so many 1000^{ds} at once, as will (say they) be weakened by o^{r} departure; The greatest Venter is o^{r} owne, but the Lord Jesus, whom we seeke herein, whose o^{r}selves, tallents & lives are, is able to carry us on Eagles wings, by the helpe of yr praiers, above all dangers & feares & bring us safly into yr bosomes wth a blessing by ye next Opportunity. We humbly intreate y^{t} these letters, pervsed by y^{r} selves, may be sent to o^{r} churches, wanting time to write severally vnto them.[1]

One is led to suspect that the agents' reasoning was mixed with a bit of wishful thinking, but they were both sincerely anxious to further the work of reformation in England. The king's forces controlled practically all England except London and Puritan East Anglia; Cromwell was busily raising an army with a spirit to fight. The glorious reformation hung in the balance; two generations of Puritan hopes and parliamentary desires were at stake. No wonder the agents could not desert the cause.

It was in the spring of 1643, while striving to ship the pauper children and collect new supplies for the colony, that the agents had first entered into the literary jousts between Presbyterians and Independents. Their inspiration appears to have come chiefly from New England[2] as a result of their editing and publishing works written by Richard Mather and others of their Massachusetts colleagues. Mather's pamphlet was the outgrowth of several years' correspondence between the Presbyterians of England and the advocates of the New England Way. In order to clarify the issues between the two ecclesiastical parties, and, no doubt, in the hope that the New England divines would impair their own cause by the frailties of their answers, the English Presbyterians had published and sent over, about 1637, *A Letter of Many Ministers in Old England, requesting the judge-*

[1] Thomas Weld to the General Court, September 25, 1643, *New Eng. Hist. Gen. Reg.*, XXXVI. 39. Weld added a postscript saying: "m^{r} Peters consented to this l'er but is not in Lon. at the p^{r}sent coming away of the ship."

[2] Hugh Peter had published a reprint of his little catechism, *Milk for Babes, and Meat for Men* (London, 1641) and an introduction to *The Advice of That Worthy Commander, Sir Ed: Harwood, Collonell* (London, 1642), called "The Life and Death of Collonell Harwood"; but neither of these pamphlets was primarily of a polemic nature.

ment of their Reverend Brethren in New England concerning Nine Positions. John Davenport had prepared an answer within the next two years, but his first manuscript had miscarried on its way to England. A second had been sent in 1639, and, in 1640, John Ball had replied to it.[1] In the meantime, the English ministers had expanded their demands into thirty-two questions, sent to the Bay Colony in 1639. These had gone unanswered until 1642, when Richard Mather, probably in consultation with Cotton, Shepard, and other New England ministers, prepared a reply and forwarded it to the colony's agents in England. Now, in June, 1643, Hugh Peter prepared Mather's work for publication, added to it Davenport's reply to the *Nine Positions*, an account of the New England Covenant, and a general introduction written by himself. He published the whole in that year as *Church-Government and Church-Covenant Discvssed, in an Answer of the Elders of the severall Churches in New-England to two and thirty Questions, sent over to them by divers Ministers in England, to declare their judgments therein. Together with an Apologie of the said Elders in New-England for the Church-Covenant, sent over in Answer to Master Bernard in the yeare 1639. As Also in an Answer to nine Positions about Church-Government.*[2]

As its title indicates, the book was in reality three books in one. It constituted, for the time being, the official reply of the New England elders to their Presbyterian brethren on all points in dispute. Peter, with his ample experience with Presbyterians in Holland, was fully aware of the importance of the struggle between the two parties, and he was unalterably opposed to the Presbyterian polity; yet, in this pamphlet, he frankly sought peace with the brethren. In so doing, he appears not only to have desired an accommodation until the common enemy should be overthrown, but also to have sought a way wherein, by an earnest search for truth, the two parties might discover a means of settling their ecclesiastical differences. He said nothing in his introduction about toleration, although he hinted strongly that he now favored it as a means of peace among the Puritans. Probably the question was at that time an embarrassment to him; for on that point the Independent ministers of New and Old England differed. He was aware that his Massachusetts colleagues abhorred the thought of toleration; he was likewise cognizant of the need to practice tolerating principles in English Independent circles in order to recruit as many followers as possible to their ranks. Presbyterian writers

[1] Benjamin Hanbury, *Historical Memorials Relating to the Independents*, II. 18–39; Williston Walker, *Creeds and Platforms of Congregationalism*, pp. 134–135.

[2] The copy in the British Museum is marked by Thomason "June 15, 1643." It is possible, even likely, that Weld collaborated with Peter in preparing the introduction.

already had called attention to the difference between the two groups of Congregationalists on this point. Peter gave them no opportunity to renew the charges of hypocrisy and opportunism which the divergence had provoked.[1]

Peter appears to have published the book just before the first meeting of the Westminster Assembly in order that parliament and the general public might have a brief, authoritative statement of the principles embodied in the New England Way. In his introduction he was remarkably moderate in tone, although he anticipated "*divers censures*" of the work and strove to counteract them. The "*prophane and ignorant,*" he said, loathe Christ and therefore would despise anything concerning Him; the "*Formalist*" would find it troublesome in that it might "*ingage him in the change of his opinions and practices*"; and "*some of the wisest will be apt to question the tyming such light as this: yea doubtless this pamphlet-glutted age will so looke upon it, and lay it by.*"[2] However, he continued, "*. . . I doe conceive that this sword will not be sheath'd which is now drawn, till Church-work be better known, and more countenanced, and since safety is laid up in the Temple,* Psa. 27. 3, 4, 5. *I could not but help on this, which attended and practised may prove our security next to Christ.*" Perhaps it would save some "*faithfull soules, that call for light, and intend to use it well.*" Others, "*of what kind soever,*" would heap ridicule and scandal upon it; but "*men of our judgement must carry*" such burdens, "*especially if zeale for the Truth draw them forth to publike observations.*" We do not propose, Peter added,

. . . to succumbe under calumny, being the livery of quieter times than these, let us bee viler still, so God and his Arke may be more glorious. Yet this I doe professe for my selfe and Brethren that as we have not bin dealt with, nor convinc'd of any offence, so we shall ever be ready to give an account of that hope which is in us, being call'd thereunto; in the meane time we over looke these barkings of black mouthes, and wish a good Comment be made upon the text of our plaine meaning.

After this warning to traducing writers, Peter besought his Presbyterian brethren carefully to examine the New England elders' works in the light of God's Word. They, he urged, strove solely to find the truth, and they believed that they had discovered it:

[1] Weld, however, did: in 1644, he was induced by Presbyterian plotters to edit, with additions, Governor Winthrop's manuscript account of New England's Antinomian troubles. The book, by emphasizing Congregational intolerance in New England, jeopardized the Independents' political aspirations in Old England and placed Weld in a difficult position. See C. F. Adams, *Antinomianism in the Colony of Massachusetts Bay* (Prince Society Publications), pp. 60–63; Thomas Edwards, *The Third Part of Gangraena* (London, 1646), preface; Thomas Hooker to Thomas Shepard, September 17, 1646, Mass. Archives, CCXL. 100–101.

[2] Peter's introduction to Richard Mather, *Church-Government and Church-Covenant Discussed.*

The onely way I know to reach Gods mind in Worship will bee to love the truth for its owne sake; yea to love it when it shall condemne our practises and persons also: Who hath not observed that the first step to error is the declining the truth in love to it? . . . we would earnestly desire that none would call that unseasonable or unreasonable, which God seemes even now to call for, at the calling of this Synode, and will carry so much Reason with it, as God and his truth will owne; more tendernes and respect to our Brethren we know not how to shew, who sent us these 32. Questions, *no other dealing would we have from our brethren consenting with us. Some Rivers have bin noted to differ in the Colours of the water, yet running in the same Channell: let Jesus Christ be lifted up by us all; let us love him whil'st wee dispute about him.*

Episcopacy, he said, had been "*cossind out*" and buried "*without expectation of another resurrection.*" Presbyterianism and Independency were the chief ways looked upon in England. Independency had been grossly misnamed: "*. . . we know not any Churches Reformed, more looking at sister Churches for helpe then ours doe. . . .*" But they had found no Word of God to authorize any ecclesiastical power superior, in the final analysis, to the particular congregation: "*We need not tell the wise whence Tyranny grew in Churches, and how Common wealths got their pressure in the like kind.*" Only let self be conquered in England and these truths would be recognized. But the New England brethren stooped to no tricks:

Know (*good Reader*) [concluded Peter] *we do not hereby go about to whistle thee out of any known good way of God. Commonly Questions and Answers cleare up the way, when other Treatises leave us to darknes. Read them, and what we say for a Church-Covenant, it may save charge and time in reading other Bookes, remember wee strive not here for masteryes, but give an account of our practise, wherein if thou know'st we faile* Candidus imperti; *if we agree let us worke by our plat-forme; and may thy soule flourish as a greene heath or watered garden.*

Unfortunately, however tenderly the New England divines strove to handle their English brethren, the Thirty-two Questions stirred up differences which had been disputed in Holland between Presbyterians and Congregationalists without conclusion, and which were no more likely to be settled now: the questions of the visible as against the invisible church, of the baptism of children whose parents were not of the visible church, of the power of classes and synods, and of the ordination of ministers. The answers were couched in moderate terms, but the issues were too great for the parties to do more than to call a truce until the royalists were defeated. Both sides recognized that Peter's disarming assurance that Independents sought no mastery was a delightful fiction: within two months after he had published these words, he was "roaring it up and down" over England, as his enemies said, for Independency.

How many more pamphlets passed through the agents' hands to the

English press it is impossible to say, but it is highly probable that Peter and Weld oversaw the publication of some of their other New England friends' writings.[1] In 1642, John Cotton published two works[2] which might have been put out through their instrumentality; but, if so, Peter and Weld appear to have made no additions, changes, or identifying marks in them. Subsequently (1644), Weld embarked for himself upon a brief career of pamphlet writing,[3] but Peter had little taste for paper bickering with quarrelsome Presbyterian allies, especially as English affairs demanded action, not words. To Peter, the ugly outlook for the parliamentary party acted as a spur to his latent energies, particularly when he saw the desperate situation which prevailed in the summer of 1643.

In July of that year Peter managed to strike once more at the supporters of the peace-at-any-price movement. At the execution of the conspirators in Waller's Plot (July 5), he acted as chaplain to Chaloner, the linen-draper, with results that helped effectually to blast the hopes of the peace party in London. Chaloner, when on the ladder, "after many Teares of hearty contrition," confessed his part in the plot; "Whereupon Mr. *Peters* said to him, You are now before the Lord of heaven, if you have any thing about the Lords, you spoke off [*sic*] so often last night, I beseech you speak your Conscience." Then Chaloner, protesting "It is the happiest day that ever I had," recited against his accomplices in the plot evidence which incriminated lords Conway and Portland, and proved Waller, who the day before had professed his innocence with regard to the military arrangements of the conspirators, to be a liar. After this relation, at Chaloner's request, "Mr. *Peters* prayed very fervently and devoutly with him." Chaloner then asked forgiveness of all and begged God to receive his soul; just before he was executed he turned to Peter and said: "I have received more comfort from such men, then ever I had before."[4] Peter probably was pleased that, through his ministrations to Chaloner, the victim was induced to tattle about his associates. The evidence was valuable, and the case would serve as a warning to all evil-doers who plotted against the cause of God that, sooner or later, God would reveal their perfidy to the

[1] See Worthington C. Ford's comments in *Proc. Mass. Hist. Soc.*, XLII. 264–266.

[2] *The True Constitution of a Particular Visible Church, proved by Scripture* (London, 1642), and *A Modest and Clear Answer to Mr. Ball's Discourse of Set Forms of Prayer* (London, 1642). Cf. Hanbury, *Historical Memorials*, II. 154–166.

[3] Such as *An Answer to W. R.* (London, 1644), and *A Short Story of the Rise, Reign and Ruine of the Antinomians* (London, 1644).

[4] *Mr. Challenor His Confession & Speech Made Upon the Ladder before his Execution on Wednesday the Fifth of July*, 1643 (London, 1643), pp. 3–5; see also Gardiner, *History of the Civil War*, I. 157–158.

saints. Chaloner's trial and execution were not the last at which Hugh Peter was to perform similar functions for God and parliament.

Immediately after the execution, Peter set out on a journey through Kent and Sussex in the service of parliament. On May 30, 1643, parliament had passed an act "for the better securing and settling of the Peace of the County of Kent, and for enabling them to associate with the City of London, or any other Counties adjacent."[1] Strong royalist tendencies had existed in those counties, breaking out all too frequently for parliament's comfort in local revolts, plots to seize county military supplies, and other unfriendly demonstrations. Parliament authorized the lord-lieutenant and the deputy-lieutenants to raise, arm, and maintain troops of horse and foot in each county to put down local royalist uprisings, to repel royalist invasions, to prevent the king from landing foreign aid on their shores, and to preserve the true Protestant religion, the laws of the land, the privileges of parliament, and the liberty of the subject. The chief parliamentary officers were: for Kent, Sir Thomas Walsingham, Sir Anthony Weldon, Sir John Sidley, Sir Henry Vane, Jr., Peter Wroth, George Sands, and Thomas Blunt; and for Sussex, Sir Thomas Pelham, Anthony Stapley, Herbert Morley, Edward Apsley, and Thomas Parker.[2] Whether one of these men or a member of the parliamentary Committee of Safety or a combination of appeals induced Peter to devote his time from early July until late September as a propagandist for parliament in these troubled districts is not recorded. But it is clear that that is what he did. On July 15, the deputy-lieutenants for Sussex gave him a blanket commission,

> . . . as the Deputy Lieftenants in Kent have done [to engage men] to appeare in person or with horse mony or plate, or imburst for two months to goe forth with Colonel Staply or any intended for the defence of the Kingdome or County, so to preserue their religion and libertyes, as is desired by the late vote of parliament for the raising the Countyes.[3]

Peter now transferred his begging activities from the service of New England to that of Old England, going from place to place, conferring with local committees, preaching sermon after sermon, and pressing people to come forward for the service of parliament, help disarm "malignants,"

[1] Firth and Rait, *Acts and Ordinances*, I. 165.

[2] See the committees chosen for sequestration and the levying of money, *id.*, I. 113–115, 148–150. See also C. Thomas Stanford, *Sussex in the Great Civil War and Interregnum*, pp. 64–65; R. Almack, editor, *Papers Relating to the County of Kent* (Camden Society Publications), pp. 16–17; *Victoria History of Sussex*, I. 523–524.

[3] Commissioners of Sussex to Hugh Peter, Lewes, July 15, 1643, *New Eng. Hist. Gen. Reg.*, XXXIX. 371–372. The commission suggests that a similar one for Kent existed, but it has not been located.

give money, plate, horses, and other supplies, join the county militia, or supply soldiers with equipment and pay for two months, six months, or as long as the donor could afford the outlay or the war might continue. No contribution was too small for the causes at stake.

Peter was very useful to parliament in this work. No such results were achieved as Cromwell was effecting in Huntingdonshire, Lincolnshire, and other counties of the Eastern Association, but the way was prepared for Sussex, Kent, Surrey, the Isle of Wight, and the town and county of Southampton to form an association similar to that of East Anglia, and Sussex was kept out of royalist hands. Meanwhile, at the parliamentary strongholds in Sussex and Kent—Lewes, Chichester, and Maidstone—Master Peter was making a name for himself. At Lewes he persuaded many people to take up arms for Church and State; according to Thomas Edwards, he not only enlisted people for the war but also converted many, including the chief men of the place, to Independency.[1] At Maidstone he had such success that he jokingly referred to it as his "Diocese," at which his Presbyterian critics promptly dubbed him "the new Arch-Bishop of Canterbury."[2] His work attracted the attention of the royalists, who began to reproach him and others who urged on the war as "Outlandish Teachers," "New-English Canaanites," and "Ridiculous Lecturers" that "commonly pray blasphemy, and preach treason, Rebellion, and sedition"; and likened their sermons to the writing of "the Poets of old who made Comedies to please the people. . . ."[3] These men, said the royalist pamphleteers, received their inspiration from "*Patriarch White* of Dorchester, Mr. Cotton of Boston, or the like," and had a "common Randevouz" at the Earl of Warwick's house in Essex.[4] Their sedition and disloyalty, it was charged, were equalled only by their blasphemy and bad taste: thus one of them, so it was said, preaching in London, began to administer the sacrament with these words: "*All you that have contributed to the* Parliament *come and take this Sacrament to your comfort.*"[5] Calibute Downing was said to have preached in London that "for the defence of Religion and Reformation of the Church, it was lawful to take up Arms against the King";[6] and Hugh Peter was reported to have taught from the pulpit that the women should "hug their Husbands into this Rebellion."[7] Whatever the truth of such

[1] Edwards, *The Third Part of Gangraena*, p. 105.
[2] *Id.*, pp. 76–77.
[3] *XIV Articles of Treason*, p. 4.
[4] *A Letter from Mercurius Civicus to Mercurius Rusticus* (Oxford, 1643), pp. 6–8.
[5] Sir William Dugdale, *A Short View of the Late Troubles* (Oxford, 1681), p. 566.
[6] *Id.*, pp. 72–73.
[7] *Letter from Mercurius Civicus to Mercurius Rusticus*, p. 13.

stories, the king's party, both in 1643 and later, declared vociferously that "it was the seditious Preachers that stirred up the People, and were the cause of all this [civil strife]."[1] Among these "seditious Preachers," Hugh Peter was becoming a leading figure.

His work in the southern counties made his worth so evident to parliament that that body now determined to commission him for a larger task. Since the beginning of the war, the Low Countries had been a source of great annoyance and danger to parliament. Queen Henrietta had secured valuable aid for the royalists there, and it was believed that she might receive more. The English Merchant Adventurers and the Dutch themselves were divided in their allegiance to the warring parties in England. Parliament had sent Walter Strickland to The Hague as its representative in an effort to combat royalist enterprise. But conditions in the Netherlands remained far from satisfactory. Supplies of war were constantly being shipped to England and to Ireland for the royalists' use, and the Cavalier sympathies of leading Merchant Adventurers of Rotterdam, Amsterdam, and Middelburg betrayed the likelihood of the continuance of such activities. Strickland could not successfully cope with the situation alone.

Besides this, a group of London merchants, including several who had financed the Forbes expedition in the previous year, had petitioned parliament to permit them to raise subscriptions in Holland for Ireland. On July 29, 1643, parliament had authorized Adam Laurence, Derrick Hoast, Maurice Thompson, and Nicholas Cursellis, London merchants, to go to Holland to promote the cause of Irish relief. The commissioners were permitted to raise money, victuals, arms, and ammunition; and receivers and treasurers were appointed in Dutch cities to conduct the business.[2] For the prosecution of such designs, Hugh Peter was eminently fitted: he had been in Ireland; he was familiar with the people and the ways of Holland; and he was fired by a zealous desire to settle the affairs of Ireland and to relieve the distressed Protestants there. Moreover, as some of the men connected with the scheme were the same persons who had engaged him for Lord Forbes's expedition, it is not surprising that he should be employed for the new begging campaign.[3] But, though Peter went to Holland partly to assist in the raising of money for Ireland, he was also employed by the parliamentary Committee of Safety for "Speciall Services." His commission, dated September 27, 1643, and signed by Lord

[1] *Reliquiae Baxterianae*, p. 34. The truth of the charge is well demonstrated by the action of parliament on August 9, 1643, in ordering the divines of the Westminster Assembly who resided in the Associated Counties to go home and "stir up the People . . . to rise for their Defense." *C. J.*, III. 199.

[2] Firth and Rait, *Acts and Ordinances*, I. 220–221.

[3] Deposition of Hugh Squier, *New Eng. Hist. Gen. Reg.*, XXXVIII. 414.

Say and Sele, Nathaniel Finnes, Gilbert Gerard, John Pym, and Anthony Neville, began:

> Whereas wee have latly by vertue of an Ordinance of Both Houses of Parliam^t^ sent over Mr *Samuel Glover* into Holland with instructions to make triall amongst the well affected Persons of ye United Provinces for ye borrowing of diverse Sum̃es of Monye for Supplye of ye great and pressing necessityes of this Kingdome vpon Sufficient Security to bee given by Both Houses of Parliam^t^: We have now thought good to authorize you likewise to repayre into those Parts and to assist in that service ether Severally or ioyntly as vpon Conference it shall Seeme best to you with the advise of Mr Walter Strickland Esqr resident at ye Hague by Com̃issions from ye Lords and Com̃ons in Parliam^t^.[1]

In order to further the work, Peter was to be careful to give the people notice of

> ... ye Covenant and strict Union agreed upon betwixt ye Two Kingdomes of England and Scotland for defence of ye Religion and Libertyes in both ag^t^ ye Com̃on Enemyes ye Papists, Prelates, and their Adherents; and likewise of ye pious intention and indeavour of both Houses for ye Reformation of all Corruptions and Supstitions in Government and Ceremonys in ye Kingdomes of England Ireland, and of procuring a more neere Vniformity and coniunction with Reformed Churches in other parts.

He was to assure the Hollanders of parliament's good faith and of the adequacy of the security provided for the loans to be effected, to acquaint them with the justice of the parliamentary cause, to persuade them that England was endangered by the "Mischeivous principles, and designs of ye Papists which doe equally threaten all other States professing ye Protestant Reformed Religion," and to demonstrate to them that if "They doe p'serve us from Ruin, They shall thereby the better secure Themselves." Finally, he was to call attention to the supplies being sent from Holland to the enemies of parliament both in Ireland and in England, and to take whatever means were offered to put a stop to the practice.

Probably Peter enjoyed himself thoroughly in the winter of 1643–44. Back in Holland, where he knew many of the people and some of the magistrates, and armed with his commission from parliament, he was forwarding the work of God in a manner peculiarly pleasing to him. Moreover, his efforts met with some success. He helped collect a shipload of foodstuffs for the relief of suffering Protestants in Ulster,[2] raise money, plate, and jewels for parliament's coffers, urge people in Holland to support the parliamentary cause, and gather information against royalists in

[1] Clarendon Papers (Bodleian), 16109.22, fol. 128. The instructions are reprinted in full in *New Eng. Hist. Gen. Reg.*, XXXIX. 372.

[2] *Certain Informations*, No. 47, December 4–11, 1643, p. 370; *L. J.*, VII. 154a, 155a.

Holland who were sending supplies to Charles I and his followers. The sum raised for parliament is not recorded, but Edmund Ludlow reported that Peter gathered £30,000 in Holland for the Irish Protestants.[1] When, however, the final report of all the agents was made, it listed total contributions of only £31,218 12*s* 5*d*.[2] It appears likely, therefore, that Ludlow gave all the credit to Peter, whereas a number of persons were responsible.

At some time in the autumn of 1643 or early in 1644, Peter seized the opportunity, however incidentally, to present to the Dutch West India Company his instructions from the governors of Massachusetts and Connecticut together with proposals for ironing out the difficulties between the Dutch of New Amsterdam and the English of the Connecticut Valley. It is impossible to say definitely who prepared the scheme, whether the New England governors or Peter himself. But in view of his statements to Governor Winthrop while he was still in Massachusetts, especially in proposing a league with the Dutch at New Amsterdam,[3] and considering Peter's former inclination to favor the removal of the English to the West Indies, it seems clear that he had the major part in its authorship. It was a strange mixture of the practical and the impractical and idealistic. In his first two suggestions, Peter asked:

1° That the Honorable Company will please to devise some expedient for the settlement of the Boundaries between New England and New Netherland, or at least to define for us their limits.
2° That their Honors will wholly abstain from molesting our people on the Fresh river, *alias* Coniecticutt, since we are willing that our title should be investigated by indifferent persons, if any such can be found.[4]

These ideas were entirely practical, although the second was one which the Dutch probably would not accept. If, however, the first proposition had been acted upon and the settlement had been honored by each party, it is likely that the molestation mentioned in the second would have ceased. Indeed, in the Treaty of Hartford, in 1650, a provisional boundary was established in the manner Peter had proposed.[5] But in his other suggestions Peter advanced ways and means that, although probably the product of religious idealism, were diplomatically preposterous:

[1] *Memoirs of Edmund Ludlow* (London, 1751), p. 368.

[2] *L. J.*, x. 135–154; Rushworth, *Historical Collections*, VII. 963; *C. J.*, III. 531, 570; IV. 8.

[3] ". . . I haue very strong thoughts to speake with the Duitch Governor, & lay some way there. . . . Why should wee not make some league with them? who are very probable to bee more then ordinary good or bad neighbors." Hugh Peter to Governor Winthrop, 4 *Coll. Mass. Hist. Soc.*, VII. 200–201.

[4] *Documents Relative to the Colonial History of New York*, I. 567–568; see also *id.*, II. 150–151; "Afschriften der Depêches," Add. MSS. 17677 W, fols. 5–6 (British Museum).

[5] *History of the State of New York*, II. 50–51.

3° That said Company set a price on their plantation, if they have any intention to part with it.
4° What conditions would the Company require if any Englishmen remove from our district to the West India Continent, being provided therefor with all necessaries except ships and ordinance which the Company should furnish?
5° The Company being aware that the English in America are about 50,000 inhabitants will please inform us in what manner can we, who are of the same religion with themselves and, we hope, trustworthy, be employed in advancing the great work there, and furnish us with an excerpt of such government as they, on our uniting with them there would desire.

From a diplomatic point of view these guarded offers probably lent more weakness than strength to the New England position: they betrayed, as the Dutch were quick to see,[1] an English recognition of the Dutch claims to the territory along the Connecticut River; they divulged the insecurity of the English in New England (although they greatly exaggerated the English population); and they wholly lacked a single, coherent policy. One has the impression, not only that Peter played all his cards at once—always a poor procedure in diplomacy—but also that half of them were jokers. Yet there is a singular likeness between his proposals to unite the English and the Dutch in the New World and the later attempts of the Long Parliament and of Oliver Cromwell, as Lord Protector, to effect the same ends with the mother countries in the Old World.[2] Peter desired to unite the nations in the New World, not merely for commercial ends, but, as Cromwell said of his plan for union in Europe, "for the preservation of freedom and the outspreading of the Kingdom of Christ."[3] Had Peter had his way, when the English and Dutch ambassadors sang the 133rd Psalm together in 1654, an echo would have come back from across the Atlantic: "Behold how good and how pleasant it is for brethren to dwell together in unity." But in 1643 the Dutch had not tasted Cromwell's naval power, and the West India Company had no use for idealizing parsons. Further, Peter held no actual commission from the officials of Hartford, the chief offender against the Dutch at New Amsterdam. Taking advantage of this technicality, the Company refused to treat with him on any terms.[4]

[1] *Documents Relative to the Colonial History of New York*, I. 564–566; II. 135; "Afschriften der Depêches," Add. MSS. 17677 W, fols. 7–12.

[2] Charles H. Firth, *Oliver Cromwell and the Rule of the Puritans in England*, pp. 312–313, 371–373.

[3] *Id.*, p. 371.

[4] Winthrop, *Journal*, II. 33; *History of the State of New York*, II. 47. In 1644, when trouble with the Dutch was renewed with considerable heat, Edward Winslow suggested that the colonies commission Hugh Peter again to deal with the Dutch, but evidently nothing came of the suggestion. Cf. Winslow to John Winthrop, August 6, 1644, *New Eng. Hist. Gen. Reg.*, XXIX. 237.

While Peter was in Holland, parliament, having to a degree assumed control of the colonies, passed an ordinance creating the Earl of Warwick governor-in-chief and lord high admiral of all the colonies in America. In the same Act, parliament appointed a standing committee of seventeen, any four of whom, in conjunction with Warwick, held authority "to provide for, order, and dispose all Things which they shall from Time to Time find most fit and advantageous to the well-governing, securing, strengthening, and preserving of the said Plantations. . . ."[1] The committee had power "to send for, view, and make use of, all such Records, Books, and Papers," as they might need; "to nominate, appoint, and constitute, all such subordinate Governors" and other officials as they might find necessary; and to remove such governors as they might judge unfit for that service. Likewise, the governor-in-chief and a majority of the commissioners (i.e., nine or more of them besides Warwick) were empowered

> . . . to assign, ratify, and confirm so much of their aforementioned authority and power; and in such manner, and to such persons, as they shall judge to be fit, for the better governing and preserving of the said plantations and islands, from open violence, and private disturbance and distractions.[2]

News of the creation of this committee caused much dissatisfaction in Massachusetts. The elders and the magistrates feared parliamentary intrusion in their affairs and possible loss of their charter or negation of its terms.[3] By this time, however, the complications in English affairs rendered it impossible for the king ever to complete the ineffective *quo warranto* proceedings against the charter. Parliamentary control of the navy precluded any further danger from the Crown for the time being; furthermore, New England's obvious sympathy with the Puritan cause, and parliament's concern with local affairs made any interference from that quarter most unlikely; and, as matters turned out, parliament's assumption of active control of colonial affairs was not realized.[4] Thus the questions relative to the charter, in which Emmanuel Downing had taken such pains to instruct Hugh Peter, were solved, for the period of the Interregnum at least, without active endeavor on the part of the agents.

Less than six weeks after parliament created the Warwick Commission, Thomas Weld, who had had sole charge of Massachusetts affairs during

[1] Firth and Rait, *Acts and Ordinances*, I. 331–333. The ordinance was passed November 2, 1643.

[2] *Id.;* see also Winthrop, *Journal*, II. 163.

[3] *Id.*, pp. 186–187, 290–295; Beer, *Origins of the British Colonial System*, pp. 347–348.

[4] Beer, *Origins of the British Colonial System*, pp. 329–330, 349 *n;* Andrews, *British Committees*, pp. 18–23.

Peter's absence from England, applied to it for a patent to the Narragansett territory.[1] Whether Weld had been instructed by the colony to take action of this sort remains a mooted point; certainly sufficient time had not elapsed for the Massachusetts officials to hear of the formation of the Warwick Commission and to send instructions for such an application. More likely Weld was acquainted with the difficulties between Massachusetts and the waspish people, both red and white, of the Narragansett country.[2] No doubt he knew that some of the people of that region had previously (1641) applied to Massachusetts for aid in their disturbances.[3] At that time the Bay Colony had shown a disposition to assert its authority over the Narragansett area.[4] Weld also knew that Roger Williams had recently arrived in England seeking a legal basis for his government in Rhode Island. It is probable, therefore, that the Massachusetts agent took it upon himself to attempt to defeat Williams's purpose and to secure a legal right to the desired country for Massachusetts Bay. Despite all his patriotic efforts, Weld failed in his object. The patent which he received on December 10, 1643, was signed by only nine of the Commission, whereas at least ten signatures, including Warwick's, were necessary to make it valid.[5] On March 19, 1643/4, on the other hand, Williams secured a charter for the territory properly signed and sealed, and whatever pretensions the Bay Colony may have had to the Narragansett country were forestalled.[6] No doubt Weld knew that Williams had outplayed him. Evidently Weld did not send his patent to Massachusetts until 1645, and then, it appears, only to demonstrate that he had tried to defeat Williams. The Bay Colony authorities used it in an attempt to restrain Williams from exercising jurisdiction in Rhode Island, but Williams, knowing their claims to be invalid, ignored their protest, and Massachusetts let the matter drop.[7] Perhaps if Peter had been in England to assist Weld in negotiating

[1] As Hugh Peter was in Holland from before the time of the Warwick Committee's appointment until the following March (1644), he could have had no part in the negotiations for the Narragansett charter.

[2] For a description of the troubles between the Bay Colony on the one hand and the Narragansett Indians, the Gortonists, and the Williamsites on the other, see John G. Palfrey, *History of New England* (Boston, 1860), II. 112–140.

[3] Winthrop, *Journal*, II. 53–54; Palfrey, *History of New England*, II. 116–117.

[4] Winthrop, *Journal*, II. 81; Palfrey, *History of New England*, II. 120–121.

[5] See the dispute over this point between Charles Deane and Colonel Aspinwall in 1 *Proc. Mass. Hist. Soc.*, V. 39–41, 399–406; VI. 41–77. A careful reading of the ordinance creating the Warwick Commission shows that ten names were necessary. See also Herbert L. Osgood, *The American Colonies in the Seventeenth Century*, I. 354.

[6] Cf. *Records of the Colony of Rhode Island and Providence Plantations*, I. 143–146; *Collections of the Rhode Island Historical Society*, IV. 221–225.

[7] *Mass. Records*, III. 49; Roger Williams to Major Mason, 1 *Coll. Mass. Hist. Soc.*, I.

with the Warwick Commission, the additional signature might have been obtained, and the subsequent history of Rhode Island might have been greatly altered.

Weld's abortive attempt to forestall Roger Williams was the agents' last important recorded act on behalf of Massachusetts. Peter did not return from his parliamentary mission to the Netherlands until March 2, 1643/4; after reporting to parliament,[1] he was soon off again in its service, which he pursued thereafter without serious regard to his colonial commission. Weld, too, was comfortably established in a London parish, and, although his conscience occasionally troubled him because he had not returned to New England, he quickly forgot it in his activities as a defender of Congregational polity against the attacks of all comers. The agents were expected to return to Massachusetts in the summer of 1644, but they did not do so.[2] During this season they conducted a few commercial transactions for the colony and completed the arrangements for the transfer of goods previously received as gifts for it.[3] But they secured no more contributions of significance and attended to no more colonial affairs of consequence: they had become agents in name only. On June 23, 1645, Peter wrote to Governor Winthrop desiring him "to assure all the world that I am coming to you"; and he planned, "for diverse reasons," to send his wife on before.[4] The year passed, however, without the arrival of either Peter or Weld. In subsequent years, likewise, the erstwhile agents protested their intention to return to the colony. But the conjunction of affairs in England and the agents' active participation therein precluded whatever real desire they may have had to go back to New England, and, as time passed, the colony, officially at least, lost all desire for a sight of its former representatives.

Meanwhile, although the agents remained in the mother country, they recognized that their preoccupation in English affairs made it impossible for them to look to the colony's interests in every particular. Possibly Peter's absence during the Narragansett patent negotiations brought them

275–293; Thomas Aspinwall, "The Narragansett Patent," 1 *Proc. Mass. Hist. Soc.*, VI. 41–77.

[1] Parliament rewarded Peter with £100 and "a Study of Books, to that Value"; the books were the remains of Archbishop Laud's library. Cf. *C. J.*, III. 421, 469, 544; *L. J.*, VI. 458b, 476b, 499b. Thomas Shepard attempted—without success, it appears—to obtain the books from Peter for Harvard College. Cf. Shepard to Peter, December 27, 1645, *American Historical Review*, IV. 105–107.

[2] Endecott to Winthrop, April 22, 1644, 4 *Coll. Mass. Hist. Soc.*, VI. 147.

[3] Thomas Edwards (*The Second Part of Gangraena*, London, 1646, p. 84) chid Weld and Peter for their delay. Master Weld halts, wrote Edwards, "between *Giles Cripplegate* and New *England*, between Master *Walker* and the money for the poore childrens sending over to New *England*. . . ." See also *id.*, pp. 289–290.

[4] 4 *Coll. Mass. Hist. Soc.*, VI. 108.

to this point of view. At any rate, because of his failure in this matter, Weld, in the spring of 1645, turned over part of the colony's business to John Pocock and various other London friends of Massachusetts.[1] At the same time, he recommended to the General Court that Pocock and his associates be formally commissioned as agents for the colony in England.[2] The General Court acted upon the suggestion early in October, 1645, and ordered Richard Saltonstall, Captain George Cook, John Pocock, and others in London to negotiate with the Warwick Commission in an attempt to recover the territory lost to Roger Williams.[3] Simultaneously, the General Court issued a curt note to Hugh Peter and Thomas Weld: "The howse of Deputies think it meete yt as Mr. Peeters & Mr. Weld being sente ouer as ꝑsons fitt to negotiate for ye Countrye, havinge bine long absent desire they may vnderstand ye Courts minde, that they desire their ꝑsence heere & speedy returne. . . ."[4]

The sharpness of the message was not entirely due to the agents' failure in regard to the Narragansett patent. For some time before that mishap, relations between the colony and its agents had been strained. From the former's viewpoint there was disappointment in the amount of money and supplies which Weld and Peter had collected: the large contributions in 1642 had aroused expectations which were never fulfilled. The collections procured for the poor children had been barren of any important results, and the colony might well have felt that the money could have been expended for more practical designs.[5] Moreover, the mismanagement and the ill success of that affair had caused many people in England to turn their backs upon New England and to refuse to give anything further. Uncertainties bred by the Civil War closed many another English purse to the Massachusetts appeals. But the extenuating circumstances could not allay the colony's displeasure with the agents' accomplishments and, therefore, to a certain degree, with the agents themselves. The Massachusetts officials probably felt that Weld and Peter had neglected their opportunities for what they should have regarded as their major interest in order to take part in English internal dissensions. To be sure, Massachusetts had desired them to push forward the glorious reformation, but not at the expense of everything else.

[1] *Mass. Records*, II. 138. [2] Winthrop, *Journal*, II. 222.

[3] *Mass. Records*, III. 48. Evidently William Hibbins, who had returned to England temporarily, was also associated with Pocock and his colleagues. Cf. *id.*, II. 185.

[4] Mass. Archives, CVI. 4a; *Mass. Records*, II. 137.

[5] From the agents' viewpoint this would have been impossible; parliament granted for a specific purpose the right to collect the money and the license to transport the children, and the funds could not have been applied for another design in England without grave risk of scandal.

Furthermore, as time passed, the agents, especially Peter, had come to uphold principles with which the Massachusetts elders and magistrates had no sympathy. To a certain extent the colony was proud of its agents' prominence in English affairs; but it was sadly disappointed that Peter should advocate toleration of all manner of religious sects.[1] In this respect, of course, Peter was inconsistent with his New England practices; but in the mother country he faced a political situation which required acceptance of toleration for the success of the Independent party. Massachusetts, on the other hand, was isolated from the upheavals of the British Isles; in New England, Congregationalists formed no minority party seeking to add to its following by a policy of inclusion. In the Bay Colony the New England Way reigned supreme in Church and in State; the Congregationalists were a ruling, if not a majority, party, which attempted to exclude those who refused to conform to its rigid rules. Since the day in 1641 when Peter had sailed for England, the position of Massachusetts in relation to that of England had undergone a great change. Whereas in 1641 the Bible Commonwealth was looked upon as an experiment in ecclesiastical liberalism, by 1645 it had become a stronghold of conservatism.[2] Peter, who had witnessed the English political and ecclesiastical kaleidoscope with his own eyes, clung to Congregationalism but adopted the English refinements, especially the principle of toleration. To the elders of Massachusetts, his change of mind was a gross error which they could not brook in their English agent. Perhaps, then, after he was recalled, the elders breathed a sigh of relief that he should no longer advocate such an error in their name. If so, it is equally true that Peter vented a similar sigh to be relieved of thankless responsibilities for the colony, and he never again set foot in the land of the "Bloudy Tenent."

The dissatisfaction of Massachusetts with its agents' efforts and politico-theological beliefs was no greater than the agents' displeasure with the colony's use of the fruits of their activities. For, in addition to certain personal grievances, such as Peter's after the excommunication and banishment of his distracted wife, Peter and Weld resented the ill repute brought upon them by the colony's misapplication of funds which they had collected and transmitted to Massachusetts. The records of English contribu-

[1] Giles Firmin expresses the attitude of Massachusetts in a letter from England to John Winthrop, July 1, 1646: "Mr. Peters hath done very much service since hither hee came. I could wish hee did not too much countenance the Opinionists, which wee did so cast out in N. England. I know he abhorrs them in his heart, but hee hath many hang vpon him, bejng a man of such vse." 4 *Coll. Mass. Hist. Soc.*, VII. 276–277. Thomas Weld appears not actually to have advocated a policy of toleration, but he acquiesced in the system of the Independent party, of which he was a constant member.

[2] For an account of this juxtaposition, see Perry Miller, *Orthodoxy in Massachusetts*, pp. 262–313.

tions to the agents and of how they were disbursed are incomplete, but enough remains to show that the Massachusetts General Court failed to honor contracts made by the agents in England with donors to the colony. The misuse of funds occurred with money given for the orphans,[1] the college,[2] and the Indians.[3] In one notorious case the colony failed to meet its financial obligations to one of its best friends, John Pocock.[4] Unfortunately for Weld and Peter, some of the English donors discovered that their contributions had been misapplied. The word got out at first, it appears, with regard to the pauper children's fund. On February 4, 1645/6, Weld and Peter handed in, under oath, to the parliamentary committee of accounts a statement of the receipts and expenditures for the orphans. But exacting givers hinted that the accounts did not square with facts; that money allegedly spent in New England for the poor children had not really been used for the purposes specified. The agents opened their accounts to public inspection at John Pocock's shop in Watling Street,[5] but while they showed clearly what they had done with the money received, they were unable to show what had become of it after it had left their hands.

The difficulty was, of course, in part due to the system, or lack of system, which had been employed for the transfer of the money and supplies to New England. No banks or other mediums of exchange existed to handle the transactions or to furnish the agents with a check of their accounts.[6] Moreover, Massachusetts had had no auditor of its accounts: one was appointed in October, 1645, just after Peter and Weld had been discharged from their duties.[7] Only their figures existed to satisfy objectors, and these, in some cases, chose not to accept their figures. There is reason to believe that the critics' charges were made for purely political reasons: in

[1] See note 5, p. 215, above.

[2] For evidences of misappropriation of college moneys, see Mass. Archives, CCXL. 58; *Mass. Records*, II. 70, 200, 205.

[3] The money which Lady Armine granted for conversion of the natives was not applied for that purpose until 1647. *Mass. Records*, II. 189.

[4] At the colony's order, Weld, Peter, and Hibbins purchased (in 1642) cloth to the value of £150 from Pocock and engaged to pay for it in six months. The colony sold the goods at a profit but neglected to reimburse Pocock. Peter and Weld paid £100 out of money that they collected in England, but the remaining £50 went unpaid until 1656, much to Pocock's irritation. See his letter to Thomas Weld, London, April 1, 1646, Mass. Archives, III. 4; to Hugh Peter, London, May 26, 1651, *id.*, C. 34. See also *Mass. Records*, II. 82, 262; III. 144, 247–248, 255, 291; IV. 66; Mass. Archives, III. 160, 325, 366; C. 35a, 50.

[5] Thomas Weld, "Innocency Cleared," Rawlinson MSS., C. 934, fol. 26b (*New Eng. Hist. Gen. Reg.*, XXXVI. 64–70).

[6] Osgood, *American Colonies in the Seventeenth Century*, I. 423.

[7] *Mass. Records*, II. 141–144.

1646, the London Presbyterians were only too glad to find something with which to discredit Peter and Weld. It is significant, moreover, that the charges of fraud came largely from the pen of Thomas Edwards and appeared first in his *Gangraena*.[1] Thus the agents were unjustly condemned for embezzlement because of circumstances over which they had no control.

The trouble was renewed, with many harsh words, when, in 1649, the New England Company was organized. This new plan for raising money was much better conceived than the Peter-Weld begging mission had been: in England all money was to be handled through a corporation created by act of parliament for that purpose, and in New England the Commissioners of the United Colonies were to administer the funds.[2] But, though the system was much improved, the corporation had great trouble in securing contributions at the outset. William Steele, its president, wrote to the Commissioners of the United Colonies that many objections had arisen against the work because of

> . . . the ill management of former Gifts bestowed on ye Countrey of New England of which no account hath been given to ye donors and som p̄sonally Reflecting vpon Mr Wells and Mr Peters som vpon our selues the Corporation as if wee had so much p̄ pound of what is collected or might feast our selues liberally therwith wheras through mercy wee never yet eat or drank of the fruit or charge of y^t^. . . .[3]

The corporation was aroused by these protests and probably would have severely censured Weld and Peter had not they themselves been active promoters of the new organization.[4] As it was, Steele and others defended Weld and Peter, secured copies of their accounts, and wrote to New England that

> . . . as for Mr Peters and Mr Wells they haue sufficiently satisfyed vs with what hath been formerly answared as by the Coppy of Mr Wells letters heere enclosed yet wee could desire ye Gouerment of ye Massachusets or their speciall Comissioners would give vs from thence a word or two what account hath been giuen by Mr Wells and what satisfaction theire Court receued by his account thither sent; and send it in such tearmes as wee may publish it to the world if wee see cause this

[1] Edwards urged with great vehemence that Hugh Peter be called to account for the money embezzled from the poor children's fund and from the other begging enterprises. Cf. *The First Part of Gangraena* (3d ed., London, 1646), pp. 40–42; *The Second Part*, pp. 84, 289–290.

[2] See the act creating the Society for Promoting the Gospel in New England (the so-called New England Company) in Firth and Rait, *Acts and Ordinances*, II. 197 ff.

[3] "Records of the United Colonies of New England," *Records of the Colony of New Plymouth*, IX. 192; Ebenezer Hazard, *Historical Collections*, II. 174–177.

[4] "Wee are begging all England ouer for N. E. Wee hope it may come to some thing." Hugh Peter to John Winthrop, Jr., July 17, 1649, 4 *Coll. Mass. Hist. Soc.*, VI. 113. As will be seen below, by the next year Peter's attitude was altered.

will Conduce much to the furtherance of ye work but wee leaue it to your descretion.[1]

The Commissioners of the United Colonies were unable to supply the information requested. They deplored the charges that had arisen and they replied that they

> . . . would gladly answare and Remoue them but those ancient Gifts and summs of Money Raised for New England were most (as wee conceiue) expended in foundation worke not onely before the Collonies did Combine but before two of them had any being; and though the Gentlemen Intrusted might in these times haue giuen a satisfying answare to soe Just a demaund yet som of them being sence dead and others Removed wee feare it wilbee now difficult if not Impossible onely wee shall the more seriusly consider and endeavor that ye money [which] . . . shalbee collected and sent ouer may bee not onely duly Improved but that a just Account bee kept (and as occasion may Require) bee duly Rendered . . . What Moneys Mr Wells and Mr Peters haue Receiued and how Imployed wee haue desired and hope you will Receiue satisfaction from the Massachusets though wee found no letter of his enclosed according to youer Intimation. . . .[2]

Weld had sent full accounts to the colony in 1645, but there was some difficulty about them, evidently because the colony refused to pay certain debts which Weld and Peter had incurred on its behalf until further details were known.[3] In April, 1647, Weld sent a full relation "of what Moneyes were by myselfe and others, Receiued and from whome for New England towards a Comon Store, the poore Children, the Colledge, advance of learning, the Library, the poore of N: England and the Conversion of the Indians from the tyme of our first landing heere vntill the p^r^sent 10th of ye 2^d^ m^o^ 1647."[4] Evidently the colony authorities had neither allowed nor rejected this account at the time of the trouble with the New England Company. But now, upon the latter's request, the

[1] Steele to the Commissioners of the United Colonies, April 7, 1651, *Plymouth Colony Records*, IX. 193; Hazard, *Historical Collections*, II. 175.

[2] Commissioners of the United Colonies to the New England Company, New Haven, September 10, 1651, *Plymouth Colony Records*, IX. 195; Hazard, *Historical Collections*, II. 177–178.

[3] *Mass. Records*, II. 162; III. 79; Ezekiel Rogers to John Winthrop, Sr., on Weld's behalf, November 9, 1647, 3 *Coll. Mass. Hist. Soc.*, I. 26–27; Weld to Winthrop, 1648, 5 *Coll. Mass. Hist. Soc.*, I. 365–367; Weld's earlier accounts (1645) were probably those referred to as among the elder John Winthrop's papers in 1649, but they have since been lost. Cf. *Mass. Records*, III. 179.

[4] Mass. Archives, LVIII. 3–6; *Publications* of this Society, XIV. 121–126. Weld evidently sent another copy of his report, dated April 21, 1647, which was attested and signed by "Natha: Duncan Aud^r^" and returned to him. This is probably the copy in Rawlinson MSS., C. 934, fols. 19–21, with other papers of Weld. The second copy is published in *New Eng. Hist. Gen. Reg.*, XXXIX. 179–182. It checks exactly with the copy in the Massachusetts Archives except in the matter of the date, and that is only eleven days later.

financial committee of the General Court audited Weld's account and sent a copy of it to England endorsed: "Wee the Comittee do accept of this account the 25th of the 8th m° 1651," and signed by Increase Nowell, William Tyng, Edward Jackson, and Nathaniel Duncan.[1]

In the meantime, Weld and Peter had bestirred themselves. Weld wrote to Steele thanking him for his "friendly Faithful, and louing defence of mee and Mr. Peeters, as farre as you could before ye Corporation."[2] Weld regretted that "the best men living" may be "aspersed in publique businesse"; he pointed out "What my paines, Study, care, have bene to discharge my trust," and "how much I am like to bee a looser"; yet he added: "I blame not those Godly Soules there in New England, but looke higher and sitt downe contented if any way I haue bene serviceable." He was glad of the opportunity to make his defence to the corporation "soe farre as may remove obstructions in the businesse . . . that itt may appeare those guifts given for the good of Newe England were not in vaine." But he closed by saying: "I shall learne some pointe of wisdome I hope, not to meddle noe more in this."[3] In order, then, to remove the difficulties facing the New England Company and to attempt to clear their own names from the scandals brought upon them by dishonesty and neglect on the part of Massachusetts, Weld, with Peter's approval, drew up a statement called "Innocency Cleared Conteining a just defence of Mr Weld & m^r^ Peters wherein their Sincere Intentions, and faithful dealings, (concerning monies received, for transporting poor children to N. Engl. and other pious uses there, and how disbursed) are made known to ye world. Together with the reasons why it is now (after so many years revolution) published, and not before. To silence the malitious, to satisfie the Sober & to remove the obstruction of ye contribution for propagating the Gospell to ye Natives in New England."[4] The manuscript was prepared for publication, Weld evidently expecting either to issue it himself or to turn it over to the New England Company for that purpose. What actual part Peter took in its preparation is not known, but it is clear that he collaborated with Weld in planning the piece; Weld, who had been bookkeeper for the begging mission, probably did the writing. The erstwhile agents explained that they felt that they had done enough to clear their names of the unjust charges, having given in a sworn account of the children's fund in 1645, and hav-

[1] See the copy in the Massachusetts Archives, reprinted in the *Publications* of this Society, XIV. 123–126. The copy sent to England has not been discovered.

[2] Thomas Weld to William Steele, Gateshead, January 2, 1649/50, Rawlinson MSS., c. 934, fols. 5–6 (*New Eng. Hist. Gen. Reg.*, XXXVI. 62–64).

[3] *Id.*

[4] The MS. copy is in Rawlinson MSS., c. 934, fols. 26–30; it is printed inaccurately in *New Eng. Hist. Gen. Reg.*, XXXVI. 64–70.

ing advertised in a news-sheet that their complete accounts were open to public inspection at Pocock's shop. Yet those who whispered against them "would not come to o^r faces." There they had let the matter drop until Edward Winslow learned ". . . from divers Ministers (who used to meet at Sion Colledge)[1] the reason why they were so slow in the furtherance of that contribution, to bee, because they *were unsatisfied* in monies they had formerly collected for transporting Children . . . and never knew how it was disposed, and some went further, in blaming those that had been agents in that worke."[2] Now, in 1650, the agents had no hope of clearing themselves, for "the accuser of the Brethren" had been "playing his old prancks" for "almost these 6000 yeares" and had "now growne a Master of this devilish art"; but they did hope to remove all obstruction so that good people would freely give donations and godly ministers would excite their people to contribute "to this glorious worke on foot for houlding fourth the Lord Jesus Christ to those wofull soules y^t now sitt in vtter darkness, & goe downe to hell by troupes for want of light, who (we know) are more ready then millions in England to embrace it, when it be held vnto them."[3] For this purpose they recapitulated, in only slightly different form, the receipts and disbursements of all the money received between 1641 and 1645 for the orphans, the colony at large, the college, the poor, and the conversion of the Indians. But for some reason, either because it was considered unfit for the purposes intended or because the opposition quieted of its own accord, the manuscript so carefully prepared was never published.

From correspondence between the corporation in England and its representatives in Massachusetts, it appears that the objections against Peter and Weld were finally silenced. Contributions, however, did not come in any the more readily. At last the truth was realized in England. The corporation there wrote to Massachusetts that the accounts which had been sent over had quieted critics of the English collectors, but "when (through mercy) our demeanors had stopped the mouths of all men heere, then the greate quere was, whether things sent were not misapplied with you in New-England."[4] Authentic reports of the colony's attempts to lord it over all the other colonies in the New England Confederation gave a wider cre-

[1] This is further proof that the attacks against the agents in England were of Presbyterian origin.

[2] Weld, "Innocency Cleared," Rawlinson MSS., c. 934, fols. 26–27 (*New Eng. Hist. Gen. Reg.*, xxxix. 65).

[3] *Id.*, p. 70.

[4] Letter from the New England Company to the Commissioners of the United Colonies, London, February 18, 1653/4, *Hutchinson Papers* (Prince Society Publications), i. 287; Hazard, *Historical Collections*, ii. 311–312; *Plymouth Colony Records*, x. 118.

dence to this belief in England;[1] and the attempts of Massachusetts to secure control of the funds sent over by the corporation to be administered by the Commissioners of the United Colonies (as the charter required) confirmed the conviction that the Bay Colony was a greedy cheat.[2] English people were convinced that whatever they contributed would be misused in New England.

> And truely Gentl[emen], [warned President Steele in a letter to the Massachusetts authorities], though wee did the Country noe smalle Service in the Vindicacion of Mr Weld and Mr Peters espetially, yett herewith have wee answered all the world, that if itt should haue bene graunted that things sent to one perticuler Governm^t^ had miscarryed or otherwise bene disposed of then intended, yet when itt was left to the Comissioners of the Vnited Colonies . . . [it *must* be administered by them according to the charter of the corporation else the people and parliament of England will never be satisfied].[3]

Massachusetts grudgingly consented, especially after Steele warned the General Court that it should have a care lest the English government set a general governor over them to stop dissensions. Satisfactory financial accounts were not obtained from the Commissioners until after the Restoration.[4]

When it had become abundantly clear in England that the sins formerly attributed to Peter and Weld should in reality have rested upon the Massachusetts General Court, Peter became incensed. Before this time he evidently had felt that the charges against him and Weld had merely been manufactured by the Presbyterians for political purposes. Now, however, he investigated for himself the use made of the money which he and his colleague had sent over. From John Eliot he learned that the annual grant of £20 which Lady Armine had given in 1643 for the conversion of the Indians had not been applied for that purpose until 1647.[5] Moreover, Eliot, who had taken great pains in this work and who had a large family to support, had been left with a mere pittance so that, as it was reported, he was compelled to run into debt every year and was unable to give his children proper educational advantages.[6] To Peter, this was a great scandal. Although he had supported the design to convert the Indians when it was

[1] See William Steele's letter to the Governor and General Court of Massachusetts, London, February 14, 1653/4, chiding the colony for causing these dissensions in the Confederation. Mass. Archives, X. 202–204; *Plymouth Colony Records*, X. 431–433.

[2] *Id.*

[3] *Plymouth Colony Records*, X. 432–433.

[4] *Id.*, p. 160; Hazard, *Historical Collections*, II. 424.

[5] *Mass. Records*, II. 189; III. 106.

[6] *Hutchinson Papers*, I. 287–290; Hazard, *Historical Collections*, II. 311–312; *Plymouth Colony Records*, X. 118.

put under way in 1649,[1] he had had little real sympathy with the object. Furthermore, he was not impressed with the various pamphlets which John Wilson, Thomas Shepard, Edward Winslow, and others had written to describe the progress of the work.[2] These facts, together with his anger with the colony for its shabby treatment of himself and Eliot, led him to denounce the entire project in 1654. William Steele sadly reported to the Commissioners of the United Colonies in February, 1653/4, Peter's desertion of the cause:

> . . . but give us leave to tell you there is such a material objection here started as wee are ashamed of and know not how to answer, viz. the manifold complaints made by Mr. Elliot to sundry his friends here, that you allow him but £20 per ann. which doth not beare his charges, insomuch as he runnes in debt every yeare more and more, and is disabled for giving his children that education he otherwise would. Now whether it be or no wee know not, but verily believe the worke will suffer some thousands of pounds by it, for it flyeth like lightening and takes like tinder, men being extreame glad to meete with any thing may colour over their covetousnes, and dull theire zeale in so good a worke: Nay Mr. Peters who, but fourteene daies before, told Mr. Winslow in plaine termes he heard the worke was but a plaine cheate, and that there was no such thing as gospell conversion amongst the Indians, presently after, charged the same man upon a letter he received from Mr. Weld, by information from Mr. Elliot that you the commissioners for the united colonies forbad the worke in that you would not allow competent maintenance to Mr. Elliot, and others that laboured therein; and however wee have otherwise charitable thoughts of Mr. Peters yett he hath been a very bad instrument all along towards this worke, who (though of a committee in the army for the advance of it amongst them) yett protested against contributing a penny towards it in person, and indeede some of us have been faine to intreate the rest of the gentlemen not to trouble him any further in the busines, nor know wee any cause unlesse it be that the worke is coming to such perfection and he hath not had the least hand or finger in it.[3]

Peter's protest may have lessened the contributions from England, but it was of material assistance to John Eliot. As soon as the Commissioners of the United Colonies heard of it, they doubled Eliot's salary and wrote to England that "if there be cause, [we] shall readily enlarge further, and so to Mr. Mayhew. . . . "[4] Two years later Peter learned from "some

[1] See his letter to John Winthrop, Jr., July 17, 1649, 4 *Coll. Mass. Hist. Soc.*, VI. 113.

[2] See these and later pamphlets published to further the work of Indian conversion, 3 *Coll. Mass. Hist. Soc.*, IV. 1 ff. In a letter to John Winthrop, Jr., in 1654, Peter wrote: "Here is 900*l* per annum for the Indians, I wish it were imployed for the English poore there." 4 *Coll. Mass. Hist. Soc.*, VI. 115–116.

[3] *Hutchinson Papers*, I. 288; *Plymouth Colony Records*, X. 118; Hazard, *Historical Collections*, II. 311–312.

[4] *Hutchinson Papers*, I. 291.

come ouer from N: E: y^t^ those who carry on the worke are not lookt vpon, but are constrayned to take course cloth att Boston" in lieu of other pay.[1] He renewed his objections, and the corporation in England offered it as their judgment that "Mr Eliott & Mr Mahew and such others as preach to ye Indians might for comfortable subsistance herein bee allowed 100^li^ per Annum sterling to bee pd heere in England to their Assignee & or Assignees."[2] It is doubtful, however, whether this decision was ever put into effect.

Events in the organization of the New England Company had effected official exoneration of the Massachusetts agents and had brought to light the true villains in the case, but they did not obtain payment of the colony's debts to the agents and their associates, debts incurred on the colony's behalf. In his "Innocency Cleared," Weld showed that the colony owed the agents £117 12*s* 2*d*. Most of this money had been paid for the bond of £112 which the agents had given to insure Alderman Andrews's gift of £544. Weld, after persistent entreaties, received his portion of the debt in 1656,[3] but there is no record to show that Peter ever received the sum owed him. In 1654, it appears that Peter decided to give up the attempt to collect it, saying that "the many vnkindneses I had from New England hath much deadend me in these things, rather contenting myselfe with what I can doe here, then further to bee troublesome to them."[4] In such a spirit the relations between the agents and the colony terminated. The colony had mistreated them, permitted them to bear the censure for which its own dishonest acts were responsible, failed to appreciate their efforts, and robbed them of their just dues. While not severing friendship with individual elders and magistrates, they would brook such ungrateful official treatment no longer. Though both parties had cause for dissatisfaction, the agents appear to have suffered the greater injury.

The ultimate break between the colony and Weld and Peter had not occurred, of course, in 1645, when Weld and Peter were officially relieved of their duties. At that time, events in the colony were only laying foundations for the troubles which took place a few years later, and, except that economic and psychological conditions in Massachusetts were such that no amount of material aid which the agents might have gathered could have satisfied the colony, Massachusetts had no justifiable cause to feel that its agents' efforts had been unsatisfactory. Against great odds,

[1] George P. Winship, *The New England Company of* 1649 *and John Eliot* (Prince Society Publications), p. 17.

[2] *Id.*

[3] ". . . pd. Mr Weld, old debt—£0061 18 7." Mass. Archives, C. 50.

[4] Peter to John Winthrop, Jr., June 4, 1654, 4 *Coll. Mass. Hist. Soc.*, VI. 114–115.

they had obtained large contributions for the Bible Commonwealth. The accounts are incomplete, but they show that more than £2,000 in money and supplies had been collected for the colony, over £200 for the college, besides Lady Moulson's scholarship, about £30 for the poor, and about £92 for conversion of the Indians. In addition, the agents raised £875 for the poor children's care and transportation, and, though this pious scheme turned out badly, the colony had profited by misapplying more than £200 of the fund. Moreover, the agents obtained complete relief from excise taxes and other duties formerly levied upon the colony's budding commerce, silenced most of the ill reports in England of the colony's parasitical economic condition, and materially assisted in creating for Massachusetts a prestige in England which it enjoyed at no other period. In all these activities Weld and Peter avoided compromising the colony's position with regard to its charter, proceedings against which disappeared until the days of the Stuart Restoration. The only tasks which the agents undertook without considerable success were the diplomatic negotiations with the Dutch West India Company, in which Hugh Peter showed so little judgment, and the attempt to forestall Roger Williams's charter, in which Thomas Weld failed by a narrow margin. No subsequent Massachusetts agents to England in the seventeenth century obtained so great material benefits for the colony.

In view of such successes, it seems unfortunate both that the agents had been intrusted with the task of furthering reformation in England—a task which would almost inevitably lead them to become unmindful of the economic needs which had given birth to the mission—and that the agents themselves entered into this phase of their duties with such zest, particularly when they realized that English affairs had reached a state of complexity and confusion which had been neither foreseen nor fully comprehended by their colonial employers. When, while acting as representatives of the Congregational Commonwealth, the agents adapted their reforming tenets to English political exigencies and accepted the principle of religious toleration, they were extolling, as Thomas Edwards craftily pointed out, a way as contrary to New England orthodoxy as it was to Presbyterianism; had they preached such doctrines in Massachusetts, the colonists would have "trod them downe as mire in the street. . . ."[1] Thus the agents broke with the colony on points of theology and ecclesiastical policy before financial difficulties arose further to impair relations between them.

More serious were the results to the agents themselves of their meddling in English affairs. John Endecott, if ever he unbent his rigid Puri-

[1] Edwards, *First Part of Gangraena*, p. 53.

tan attitude of righteousness, might well have gloated with the "I-told-you-so's" when neither Weld nor Peter returned to his New England congregation. Both men stayed in England throughout the period of the Civil War, the Commonwealth, and the Protectorate, and they lived to see their "reforming" efforts nullified by the return of the Stuarts. Weld, after an indecisive pamphlet controversy with Presbyterian writers, took a parish at Gateshead, where he fought with Quakers, Anabaptists, and imaginary Jesuits until the Restoration, when he returned to London; here he died shortly afterwards. Peter, after a previous record generally admirable for Congregational piety, orthodoxy, and zestful rectitude, turned his shrewd mind and active body to English politics, in which, though he rose to an eminent position in Independent circles, he stooped to methods and actions scarcely honorable to his cloth and suffered an ignominious death with the regicides in 1660. By attempting to further the reformation in the English Church and State, Massachusetts muddled the objects of the mission to England, and the agents, tending to neglect the material objects in view, lost themselves in the welter of English affairs.

February Meeting, 1935

A STATED MEETING of the Society was held, at the invitation of Mr. FRANCIS R. HART, at No. 474 Beacon Street, Boston, on Thursday, February 28, at three o'clock in the afternoon, the President, SAMUEL ELIOT MORISON, in the chair.

The records of the last Stated Meeting were read and approved.

The Corresponding Secretary announced the death of the Hon. WILLIAM CUSHING WAIT, an Honorary Member, on January 28, 1935, and of CHARLES EVANS, a Corresponding Member, on February 8, 1935.

The Corresponding Secretary reported that letters had been received from Dr. REGINALD FITZ accepting Resident Membership; from Mr. JOHN STEWART BRYAN accepting Corresponding Membership; and from Mr. JAMES BRYANT CONANT, the Hon. WILLIAM CUSHING WAIT, and Sir CHARLES HARDING FIRTH accepting Honorary Membership in the Society.

Mr. FRANK WILSON CHENEY HERSEY, of Cambridge, was elected a Resident Member of the Society.

Mr. PERRY MILLER read the following paper:

The Marrow of Puritan Divinity

WE invariably think of the original settlers of New England as "Calvinists." So indeed they were, if we mean that in general terms they conceived of man and the universe much as did John Calvin. But when we call them Calvinists, we are apt to imply that they were so close in time and temperament to the author of the *Institutes* that they carried to America his thought and system inviolate, and to suppose that their intellectual life consisted only in reiterating this volume. Yet students of technical theology have long since realized that Calvinism was in the process of modification by the year 1630. There had come to be numerous departures from or developments within the pristine creed, and "Calvinism" in the seventeenth century covered almost as many shades of opinion as does "socialism" in the twentieth. The New England

leaders did not stem directly from Calvin;[1] they learned the Calvinist theology only after it had been improved, embellished, and in many respects transformed by a host of hard-thinking expounders and critics. The system had been thoroughly gone over by Dutchmen and Scotchmen, and nothing ever left the hands of these shrewd peoples precisely as it came to them; furthermore, for seventy years or more English theologians had been mulling it over, tinkering and remodelling, rearranging emphases, and, in the course of adapting it to Anglo-Saxon requirements, generally blurring its Gallic clarity and incisiveness.

Much of this adaptation was necessitated because, to a later and more critical generation, there were many conundrums which Calvin, and all the first Reformers for that matter, had not answered in sufficient detail. He had left too many loopholes, too many openings for Papist disputants to thrust in embarrassing questions. His object had been to compose a sublime synthesis of theology; he sketched out the main design, the architectural framework, in broad and free strokes. He did not fill in details, he did not pretend to solve the metaphysical riddles inherent in the doctrine. He wrote in the heyday of Protestant faith and crusading zeal, and it is not too much to say that he was so carried along by the ecstasy of belief that an assertion of the true doctrine was for him sufficient in and for itself. There was no need then for elaborate props and buttresses, for cautious logic and fine-spun argumentation.

Hence the history of Reformed thought in the late sixteenth and early seventeenth centuries reveals the poignant inability of Calvin's disciples to bear up under the exaction he had laid upon them. He demanded that they contemplate, with steady, unblinking resolution, the absolute, incomprehensible, and transcendent sovereignty of God; he required men to stare fixedly and without relief into the very center of the blazing sun of glory. God is not to be understood but to be adored. This supreme and awful essence can never be delineated in such a way that He seems even momentarily to take on any shape, contour, or feature recognizable in the terms of human discourse, nor may His activities be subjected to the laws of human reason or natural plausibility. He is simply the sum of all perfections, that being who is at one and the same time the embodiment of perfect goodness and justice, perfect power and mercy, absolute righteousness and knowledge.

[1] They did not even consider him the fountainhead of their thought, but regarded him as one among many "judicious" divines. To an English correspondent who asked if Calvin had not definitely settled a certain point, Thomas Shepard replied: "I have forgot what he hath wrote and myself have read long since out of him" (*Works*, John Albro, editor, Boston, 1853, I. 326). Thomas Hooker did not hesitate to point out in a sermon that Calvin "casts a different construction" upon some words of Scripture, and to insist upon his own interpretation (*A Comment Upon Christs Last Prayer in the Seventeenth of John*, London, 1656, p. 157).

Of course, man will never understand how these qualities in unmitigated fullness exist side by side in one being without conflict or inconsistency; though man were to speculate and argue to the end of time, he can never conceivably reconcile plenary forgiveness with implacable righteousness. Calvin said that it is not man's function to attempt such speculation. Man has only to discover the specific laws, the positive injunctions which God has laid down in His written word, to take God's statements as recorded, and to accept them through faith. "To desire any other knowledge of predestination than what is unfolded in the word of God, indicates as great folly, as a wish to walk through unpassable roads, or to see in the dark."[1] There does not have to be any necessary or discernible reason for these decrees, they do not have to form any comprehensive and consistent system; Calvin may with titanic effort marshal them in the form of a coherent logical pattern, but each individual item rests, in the final analysis, not upon the logic of its place in the system, but upon the specific and arbitrary enactment of God. The object of our faith, as far as His personal character is concerned, is an utter blank to human comprehension; He is a realm of mystery, in whom we are sure that all dilemmas and contradictions are ultimately resolved, though just how, we shall never in this world even remotely fathom.

It is of the essence of this theology that God, the force, the power, the life of the universe, remains to men hidden, unknowable, unpredictable. He is the ultimate secret, the awful mystery. God's nature "is capable properly of no definition," so that all that one can say is that "God is an incomprehensible, first, and absolute Being."[2] He cannot be approached directly; man cannot stand face to face with Him, "for in doing so, what do we else but draw neere to God, as the stubble or the waxe should draw neer to the fire? . . . He is a consuming fire to the sonnes of men, if they come to him immediately."[3] The English Puritans may be called Calvinists primarily because they held this central conception, though the thought is older in Christian history than Calvin, and they did not necessarily come to it only under Calvin's own tuition. "Now, sayth the Lord, my thoughts go beyond your thought as much as the distance is betweene heaven and earth."[4] William Ames, whose *Medulla Sacrae Theologiae* was the standard text-book of theology in New England, lays it down at the very beginning that "what God is, none can perfectly define, but that hath the Logicke

[1] *Institutes*, III. xxi, 2.

[2] John Preston, *Life Eternall, or, A Treatise of the Knowledge of the Divine Essence and Attributes* (London, 1631), p. 94.

[3] John Preston, *The New Covenant, or the Saints Portion* (London, 1629), p. 503.

[4] *Id.*, p. 111.

of God himselfe,"[1] and argues that therefore our observance of His will can never be based upon God's "secret will," but only upon His explicitly revealed command.[2] William Perkins, from whom Ames and English Puritans in general drew a great share of their inspiration, asserted squarely once and for all that even the virtues of reasonableness or justice, as human beings conceive them, could not be predicated of God, for God's will "it selfe is an absolute rule both of iustice and reason"; and that nothing could therefore be reasonable and just intrinsically, "but it is first of all willed by God, and thereupon becomes reasonable and iust."[3] The glory of God no man or angel shall know, preached Thomas Shepard; "their cockle shell can never comprehend this sea"; we can only apprehend Him by knowing that we cannot comprehend Him at all, "as we admire the luster of the sun the more in that it is so great we can not behold it."[4]

This system of thought rests, in the final analysis, upon something that cannot really be systematized at all, upon an unchained force, an incalculable essence. For the period of Protestant beginnings, for the years of pure faith and battle with Babylon, this doctrine, as Calvin expressed it, was entirely adequate. It took the mind off speculation, economized energies that might have been dissipated in fruitless questionings, simplified the intellectual life, and concentrated attention on action. The warriors of the Lord were certain that in the innermost being of God all the cosmic enigmas which the Scholastics had argued and debated to the point of exhaustion were settled, that they need not bother with ultimate truth in the metaphysical sense, because in faith and revelation they had clear and explicit truth once and for all. But by the beginning of the seventeenth century Protestant schools and lectureships had been established; the warfare with Rome had become a matter of debate as well as of arms, and logic had become as important a weapon as the sword. Calvinism could no longer remain the relatively simple dogmatism of its founder. It needed amplification, it required concise explication, syllogistic proof, intellectual as well as spiritual focus. It needed, in short, the one thing which, at bottom, it could not admit—a rationale. The difference between Calvin and the so-called Calvinists of the early seventeenth century cannot be more vividly illustrated than by a comparison of the *Institutes* with such a representative book as Ames's *Medulla* (1623). Where the *Institutes* has the majestic sweep of untrammeled confidence, the *Medulla*, though no less confident, is meticulously made up of heads and subheads, objections and

[1] *The Marrow of Sacred Divinity* (London, 1643), p. 11.

[2] *Id.*, p. 191.

[3] *Works* (Cambridge, 1626), p. 278.

[4] *Works*, I. 14.

answers, argument and demonstration. The preface admits that some readers may condemn the author's care for "Method, and Logicall form" as being "curious and troublesome," but such persons would "remove the art of understanding, judgement, and memory from those things, which doe almost onely deserve to bee understood, known, and committed to memory."[1] Even if the specific doctrines of Calvinism were unchanged at the time of the migration to New England, they were already removed from pure Calvinism by the difference of tone and of method. It was no longer a question of blocking in the outlines; it was a question of filling in chinks and gaps, of intellectualizing the faith, of exonerating it from the charge of despotic dogmatism, of adding demonstration to assertion—of making it capable of being "understood, known, and committed to memory."

The history of theology in this period indicates that the process of development was accomplished in many guises. Learned doctors wrote gigantic tomes on the Trinity or the Incarnation, and soon were creating for Protestantism a literature of apologetics that rivalled the Scholastic, not only in bulk, but in subtlety, ingenuity, and logic-chopping. For our purposes it is possible to distinguish three important issues which particularly occupied the attention of Dutch and English Calvinists. These are not the only points of controversy or development, but they may be said to be the major preoccupations in the theology of early New England. Calvinism had already by 1630 been subjected to attack for what seemed to Catholic, Lutheran, and Anglican critics its tendency toward self-righteousness at the expense of morality; in spite of Calvin's insistence that the elect person must strive to subject himself to the moral law—"Away, then," he cried, "with such corrupt and sacrilegious perversions of the whole order of election"[2]—there was always the danger that the doctrine of predestination would lead in practice to the attitude: "If I am elected, I am elected, there is nothing I can do about it." If man must wait upon God for grace, and grace is irrespective of works, simple folk might very well ask, why worry about works at all? Calvinist preachers were often able to answer this question only with a mere assertion. Calvin simply brushed aside all objection and roundly declared: "Man, being taught that he has nothing good left in his possession, and being surrounded on every side with the most miserable necessity, should, nevertheless, be instructed to aspire to the good of which he is destitute."[3] Perkins taught that the will of man before it receives grace is impotent and in the reception is

[1] *Marrow*, A3 verso.

[2] *Institutes*, III. xxiii, 12.

[3] *Id.*, II. ii, 1.

purely passive: "by it selfe it can neither beginne that conuersion, or any other inward and sound obedience due to Gods law";[1] he distinctly said that God's predestination is regardless of any quality or merit in the individual, and that man can achieve any sort of obedience only after being elected. Ames restated this doctrine; yet at whatever cost to consistency, he had to assert that though without faith man can do nothing acceptable to God, he still has to perform certain duties because the duties "are in themselves good."[2] The divines were acutely conscious that this was demanding what their own theory had made impossible, and they were struggling to find some possible grounds for proving the necessity of "works" without curtailing the absolute freedom of God to choose and reject regardless of man's achievement.

Along with this problem came another which Calvin had not completely resolved, that of individual assurance, of when and how a man might reach some working conviction that he was of the regenerate. The decrees of election and reprobation were, according to Calvin, inscrutable secrets locked deep in the fastness of the transcendent Will:

> Let them remember that when they inquire into predestination, they penetrate the inmost recesses of Divine wisdom, where the careless and confident intruder will obtain no satisfaction to his curiosity, but will enter a labyrinth from which he will find no way to depart. For it is unreasonable that man should scrutinize with impunity those things which the Lord has determined to be hidden in himself; and investigate, even from eternity, that sublimity of wisdom which God would have us to adore and not comprehend, to promote our admiration of his glory.[3]

This was sufficient for men of 1550, but men of 1600 wished to ascertain something more definite about their own predicament. The curve of religious intensity was beginning to droop, and preachers knew that a more precise form of stimulation had to be invoked to arrest the decline; men wished to know what there was in it for them, they could not forever be incited to faith or persuaded to obey if some tangible reward could not be placed before them. Yet to say roundly that all the elect would be immediately satisfied by God of their promotion was to say that God was bound to satisfy human curiosity. The theologians could only rest in another inconsistency that was becoming exceedingly glaring in the light of a more minute analysis. Assurance is sealed to all believers, said Ames, yet the perceiving of it "is not always present to all";[4] this uncertainty, he was forced to admit, is a detriment to "that consolation and peace which Christ hath left to believers."[5]

In both these discussions the attempt to arrive at bases for certainty led

[1] *Works*, p. 21. [2] *Marrow*, p. 198. [3] *Institutes*, III. xxi, 1.
[4] *Marrow*, p. 131. [5] *Id.*, p. 118.

directly to the fundamental problem: no grounds for moral obligation or individual assurance could be devised as long as God was held to act in ways that utterly disregarded human necessities or human logic. In order to know that God will unquestionably save him under such and such circumstances, man must know that God is in reality the sort of being who would, or even who will have to, abide by these conditions, and none other. He must ascertain the whys and wherefores of the divine activity. In some fashion the transcendent God had to be chained, made less inscrutable, less mysterious, less unpredictable—He had to be made, again, understandable in human terms. If the sway of the moral law over men were to be maintained, men must know what part it played in their gaining assurance of salvation; if men were to know the conditions upon which they could found an assurance, they must be convinced that God would be bound by those conditions, that He would not at any moment ride roughshod over them, act suddenly from an abrupt whimsy or from caprice, that salvation was not the irrational bestowal of favor according to the passing mood of a lawless tyrant.

The endeavor to give laws for God's behavior was attended with apparently insuperable obstacles, for it was clear that such principles as men might formulate would be derived from reason or from nature, and Calvin had made short work of all rational and natural knowledge in the opening chapters of the *Institutes*. Not only does God transcend reason and nature, but the corruption of the universe which followed the sin of Adam has vitiated whatever of value once existed in them. Reason was originally endowed with an inherent knowledge of God, which is now hopelessly extinguished by ignorance and wickedness; the knowledge of God may be conspicuous in the formation of the world, but we cannot see it or profit by it. We may still have the light of nature and the light of reason, but we have them in vain. "Some sparks, indeed, are kindled, but smothered before they have emitted any great degree of light."[1] Ames went as far as he dared toward bringing order into God's character by saying that since God is obviously perfect, He must be perfectly rational; that in His mind must preëxist a plan of the world as the plan of a house preëxists in the mind of an architect; that God does not work rashly, "but with greatest perfection of reason."[2] But we can never in our discourse attain to that reason. The principles of other arts may be polished and perfected "by sense, observation, experience, and induction," but the principles of theology must be revealed to us, and "how ever they may be brought to perfection by study and industry, yet they are not in us from Nature."[3] Divinity may utilize "Intelligence, Science, Sapience, Art or Prudence," but it cannot be the

[1] *Institutes*, I. iii–vi. [2] *Marrow*, p. 24. [3] *Id.*, p. 2.

product of these natural faculties, but only of "divine revelation and institution."[1] Knowledge and rational conviction may be prized by the theologian, and may be preached by him as much as doctrine, but in the final analysis he must declare that reason is not faith, that it is not necessary to justification, and that in itself it cannot produce the effects of grace.[2] He may also study nature and natural philosophy, but his knowledge will always be vain and useless; his faculties are too corrupted to observe correctly; nature is under God's providence, and God's ways are past finding out; and, finally, the works of nature "are all subject to corruption."[3]

Here, then, was the task which seventeenth-century Calvinists faced: the task of bringing God to time and to reason, of justifying His ways to man in conceptions meaningful to the intellect, of caging and confining the transcendent Force, the inexpressible and unfathomable Being, by the laws of ethics, and of doing this somehow without losing the sense of the hidden God, without reducing the Divinity to a mechanism, without depriving Him of unpredictability, absolute power, fearfulness, and mystery. In the final analysis this task came down to ascertaining the reliability of human reason and the trustworthiness of human experience as measurements of the divine character—in short, to the problem of human comprehension of this mysterious thing which we today call the universe.

The Arminian movement in Holland (and the "Arminian" theology in the Church of England) represented one Calvinist attempt to supply a reasonable explanation of the relation of God to man. But Arminians went too far; they jeopardized the foundations of Calvinism, and were stigmatized as heretics at the Synod of Dort. In the seventeenth century Arminianism stood as a ghastly warning to all Calvinists. It was an admonition to stay well inside the structure of the creed, whatever redecorations they undertook. The orthodox soon perceived that the basic error in Arminianism was not any one of its "five points" formulated at Dort, but its exaltation of the human reason and consequently its reconstruction of God after the human image. William Ames said that grace, as conceived by the Arminians, "may be the effect of a good dinner sometimes";[4] and Thomas Shepard pointed out that by their putting into the unregenerate will and the natural reason an ability to undertake moral duties and to work out assurance without the impetus of grace, they became no better than heathen philosophers and Roman Stoics.

> . . . I heard an Arminian once say, If faith will not work it, then set reason a-work, and we know how men have been kings and lords over their own passions by improving reason, and from some experience of the power of nature men have come

[1] *Marrow*, p. 1. [2] *Id.*, p. 117.
[3] Preston, *New Covenant*, p. 556. [4] Shepard, *Works*, 1. 329.

to write large volumes in defence of it; and . . . the Arminians, though they ascribe somewhat to grace, . . . yet, indeed, they lay the main stress of the work upon a man's own will, and the royalty and sovereignty of that liberty.[1]

The Arminians yielded too far to the pressure for construing theology in a more rational fashion and so succumbed to the temptation of smuggling too much human freedom into the ethics of predestination. A more promising, if less spectacular, mode of satisfying these importunities without falling into heresy was suggested in the work of the great Cambridge theologian, William Perkins, fellow of Christ College, who died in 1602. Anyone who reads much in the writings of early New Englanders learns that Perkins was a towering figure in Puritan eyes. Nor were English and American divines alone in their veneration for him. His works were translated into many languages and circulated in all Reformed communities; he was one of the outstanding pulpit orators of the day, and the seventeenth century, Catholic as well as Protestant, ranked him with Calvin. He was one of the first to smell out the Arminian heresy[2]—"a new devised doctrine of Predestination," he called it—and his works were assailed by Arminius as being the very citadel of the doctrine he opposed. As I read Perkins today, it seems to me that the secret of his fame is primarily the fact that he was a superb popularizer. His books were eminently practical in character. He was typically English in that he was bored by too intricate speculation on a purely theoretical plane, and that he wanted results. Thomas Fuller hit him off with his customary facility when he said that Perkins "brought the schools into the pulpit, and, unshelling their controversies out of their hard school-terms, made thereof plain and wholesome meat for his people."[3] I cannot find that in making wholesome meat out of controversy Perkins added any new doctrines to theology; he is in every respect a meticulously sound and orthodox Calvinist. What he did contribute was an energetic evangelical emphasis; he set out to arouse and inflame his hearers. Consequently, one of his constant refrains was that the minutest, most microscopic element of faith in the soul is sufficient to be accounted the work of God's spirit. Man can start the labor of regeneration as soon as he begins to feel the merest desire to be saved. Instead of conceiving of grace as some cataclysmic, soul-transforming experience, he whittles it down almost, but not quite, to the vanishing point; he says that it is a tiny seed planted in the soul, that it is up to the soul to water and cultivate it, to nourish it into growth.[4]

[1] Shepard, *Works*, II. 283. [2] *Works*, pp. 107–112. [3] *The Holy State*, Bk. II, Chap. x.
[4] Cf. "A Graine of Mustard Seed," *Works*, pp. 637 ff.; "A Treatise Tending unto a Declaration Whether a man be in the estate of damnation," *id.*, pp. 356 ff.; "A Case of Conscience," *id.*, pp. 423 ff.

This idea was palliative; it lessened the area of human inability and gave the preacher a prod for use on those already, though not too obviously, regenerate. In Perkins's works appear also the rudiments of another idea, which he did not stress particularly, but which in the hands of his students was to be enormously extended. He occasionally speaks of the relationship between God and man as resting on "the Covenant of Grace," and defines this as God's "contract with man, concerning the obtaining of life eternall, upon a certaine condition."[1] He uses the covenant to reinforce his doctrine of the duty that man owes to God of cultivating the slightest seed of grace that he may receive.

The most eminent of Perkins's many disciples was Dr. William Ames, who in 1610 was so prominent a Puritan that he found it advisable to flee to Holland, where he became professor of theology at the University of Franeker. He was the friend and often the master of many of the New England divines, and I have elsewhere claimed for him that he, more than any other one individual, is the father of the New England church polity.[2] Like Perkins, Ames was an orthodox Calvinist. His was a more logical and disciplined mind than that of his teacher, and his great works, the *Medulla Sacrae Theologiae* (1623) and *De Conscientia* (1630), became important text-books on the Continent, in England, and in New England because of their compact systematization of theology. There is very little difference between his thought and Perkins's, except that he accords much more space to the covenant. He sets forth its nature more elaborately, sharply distinguishes the Covenants of Works and of Grace, and provides an outline of the history of the Covenant of Grace from the time, not of Christ, but of Abraham.[3]

In 1622, John Preston became Master of Emmanuel College, Cambridge. Preston was the statesman, the politician among Puritan divines. He was that Puritan upon whom the Duke of Buckingham showered his favor while fondly endeavoring to delude the Puritans into rallying about his very un-Puritanical banner. Preston had been converted in 1611 by a sermon of John Cotton, and was a close friend of Cotton, Davenport, and Hooker; his works, like those of Perkins, were a mainstay of New England libraries. Like Perkins, he was a magnificent preacher, but he was so active a man that he published little before his death in 1628. His works were issued posthumously, one of the editors being John Davenport. Thomas Goodwin, later the great Independent leader, was another editor, and in the preface to one volume says that Preston spent his living thoughts

[1] *Works*, p. 32.

[2] *Orthodoxy in Massachusetts*, chap. vi.

[3] *Marrow*, pp. 101–103.

and breath "in unfolding and applying, the most proper and peculiar Characters of Grace, which is Gods Image; whereby Beleevers came to be assured, that God is their God, and they in covenant with him."[1] This passage reveals the great contribution of Preston to the development of Calvinist thought, for in the elaborate exegesis which Preston devoted to unfolding and expounding the philosophy of the covenant, which he held to be "one of the main points in Divinitie,"[2] he contrived the seeming solution of the problems which then beset his colleagues. His greatest work on this subject (though all his many books deal with it to some extent) was entitled *The New Covenant, or The Saints Portion* (London, 1629). This work is prerequisite to an understanding of thought and theology in seventeenth-century New England.

Another friend of Preston, probably his closest, was Richard Sibbes, preacher at Gray's Inn from 1617 until his death in 1635, and Master of St. Catherine's Hall, Cambridge, from 1626. He, too, was an editor of Preston's work; it was to a sermon of his that John Cotton owed his own conversion, and Davenport and Goodwin edited many volumes of Sibbes's writings after 1635. Throughout these writings the covenant is expounded and all the theology reshaped in the light of this doctrine. One of the fascinating aspects of the history of this idea is the intimate connection that seems to exist among most of its exponents; they form a group bound together by personal ties, and the completed theology is the work of all rather than of any one man. Sibbes was associated with Gouge in the "feofees" scheme; he was the friend and correspondent of Bishop Ussher. He edited a work of John Ball, and one of his students at St. Catherine's was William Strong, who died in 1654, and whose treatise *Of the Covenant* was prepared for the press by Sibbes's friend Lady Elizabeth Rich in 1678. In the work of all these authors the covenant plays a conspicuous part. Furthermore, this group seems to coincide frequently with the coherent group who formulated the peculiar philosophy of Non-Separating Congregationalism.[3] They were students or friends of Ames, whose works they quote frequently. Sibbes owed his conversion to a sermon of Paul Baynes, and he edited Baynes's *Exposition of Ephesians*. There are many ascertainable relations of almost all the school with one or more of the New England divines; their works were read in New England, and Perkins, Ames, Preston, and Sibbes are clearly the most quoted, most respected, and most influential of contemporary authors in the writings and sermons of early Massachusetts. Sibbes revealed his awareness of the great

[1] *Life Eternall*, p. A6 recto.

[2] *New Covenant*, p. 317.

[3] Miller, *Orthodoxy in Massachusetts*, pp. 73–102.

migration in the year 1630 when he said in *The Bruised Reed:* "The gospel's course hath hitherto been as that of the sun, from east to west, and so in God's time may proceed yet further west."[1] Both in the works of all these men, including Cotton, Hooker, Shepard, and Bulkley, and in their lives there is evidence for asserting that they constituted a particular school, that they worked out a special and peculiar version of theology which has a marked individuality and which differentiates them considerably from the followers of unadulterated Calvinism. And the central conception in their thought is the elaborated doctrine of the covenant.[2]

[1] *Works* (Alexander B. Grossart, editor, Edinburgh, 1862), I. 100; for interconnections of the group, see Grossart's introduction, *id.*, I, *passim.*

[2] I should by no means wish to contend that Perkins, Ames, and Preston were the sole authors of the theory of the covenant. While these Englishmen were in the vanguard of the movement, they were probably not so much leaders of thought as indications of a spontaneous evolution among Calvinists of the period, brought about by the necessities I have outlined. There seems to have been a group of theologians in Germany in the late sixteenth century who used the idea, though there is no evidence that they had any influence in England. Sibbes could write as early as 1623, on the supposition that the reader was *already* familiar with the covenant doctrine: "It supposeth a reader grounded in the knowledge of the nature and properties of God, of Christ and his offices, of the covenant of grace, and such like" (Preface to Ezekiel Culverwell, *Treatise of Faith*). The Covenant of Grace was, of course, an old catchword in theology, which is legitimately derived from its frequent mention in the Bible. It had served to characterize the general scheme of redemption; more concretely, it had been used to signify an agreement of a sort with God, entered into by believers at their baptism. Richard Hooker had employed it as both Anglican and Puritan in the sixteenth century would probably have understood it when he said that baptism implied "a covenant or league between God and man," wherein God bestows remission of sins, "binding also himself to add in process of time" sufficient grace for the attainment of life hereafter (*Of the Laws of Ecclesiastical Polity*, v. lxiv, 4). But though Hooker calls it a league and speaks of the covenant as God's "binding" Himself, he does not stress the contractual nature of the agreement. The special quality of the Puritan emphasis upon the covenant does not, so far as I can tell, seem to derive from historic theology at all. Instead, in the background of Preston's thought, lies the common-law conception of the covenant, the idea of a formal agreement of legal validity, a promise or contract under seal. Whether this school took the notion from the law consciously or unconsciously I cannot yet say, though I suspect that they knew what they were doing. A later English writer on the covenant, who constantly cites Ames, Preston, and Cotton for his authorities, explicitly acknowledges the influence of the law. He declares that "our Lawyers . . . have given us Presidents" for defining a covenant; and in countering the attack of an opponent he says: "We will referre it to the Common Law, whether this way of reasoning will hold or no" (Thomas Blake, *Vindiciae Foederis*, London, 1653, pp. 38, 377). It is enough to remember that the Puritans, in their controversy with the Crown, were steeped in the law, and it is no wonder that sooner or later they should be found busily reinterpreting theology in accordance with legal habits of thought. Hence it is quite plausible that many Puritans of the first decades of the seventeenth century should begin simultaneously to seize upon the idea of covenant and to stress it in their accounts of Calvinistic theology. William Ames taught the elements of the doctrine at Franeker. Among his students was a Dutchman known to history as Cocceius, who became the founder of a school which took the covenant as its central doctrine, and which, throughout the seventeenth century, disturbed the theological peace of Holland almost as much as did the Armin-

The word "covenant" as it appears in the Bible presents for the modern scholar a variety of meanings. Possibly suspecting or intuitively sensing these confusions, Luther and Calvin made hardly any mention of the covenant, and the great confessions of sixteenth-century Protestantism avoided it entirely. But with Preston and his friends the word seemed to suggest one simple connotation: a bargain, a contract, a mutual agreement, a document binding upon both signatories, drawn up in the presence of witnesses and sealed by a notary public. Taking "covenant" to mean only this sort of commitment under oath, Preston proceeded, with an audacity which must have caused John Calvin to turn in his grave, to make it the foundation for the whole history and structure of Christian theology. He says:

. . . we will labour to open to you now more clearely, and distinctly, this Couenant; though a difficult thing it is, to deliuer to you cleerely what it is, and those that be-

ians. Without dwelling too long upon the fascinating history of the idea, we may sum up the situation in some such fashion as this: from its inception in England, as illustrated in the work of Perkins and Preston, the doctrine had a sort of triple life—in England it continued to be preached by various theologians, particularly by the Independents; in Holland it became the particular doctrine of a faction denominated in histories of theology as the Cocceian, or the Covenant, or the Federal School; and in New England it became a fundamental tenet, a doctrine that completely modified what otherwise would be called Calvinism, and became the starting point for many intellectual developments, not only theological, but also ecclesiastical, political, and philosophical. The chief seventeenth-century English documents on the subject, in addition to the works of Perkins, Ames, Preston, and Sibbes, are, chronologically: John Downame, *The Christian Warfare*, 1604, 1611; [Anon.], *The Covenant betweene God and man plainly declared*, 1616; George Downame, *The Covenant of Grace*, 1631; John Ball, *A Treatise of Faith*, 1631; Tobias Crisp, *Christ Alone Exalted*, 1643; James Ussher, *A Body of Divinity*, 1645; John Ball, *A Treatise of the Covenant of Grace*, 1645; Thomas Blake, *Vindiciae Foederis*, 1653, *The Covenant Sealed*, 1655; Edward Leigh, *A System or Body of Divinity*, 1654, *A Treatise of Religion and Learning*, 1656; William Allen, *Discourse on the Nature, Ends and Differences of the Two Covenants*, 1673 (preface by Richard Baxter); John Owen, *The Doctrine of Justification by Faith*, 1677; William Strong, *Discourse of the Two Covenants*, 1678; Daniel Williams, *Gospel Truth Stated and Vindicated*, 1692. The Westminster Confession has some features of the doctrine rather covertly introduced, which fact helps to explain why it could be adopted without reservation by the Cambridge Synod in 1648. In the last half of the seventeenth century the covenant doctrine replaced other forms of Calvinism among English Calvinists, until in the eighteenth century all Calvinists—Ridgely, Doddridge, Watts—are nothing but Federalists. Though the idea and philosophy of the covenant run through almost the entire output of the first generation of New England authors, the principal works devoted to it are: Peter Bulkley, *The Gospel-Covenant*, 2nd ed., 1651; Thomas Cobbett, *A Just Vindication of the Covenant*, 1648; John Cotton, *The Covenant of God's Free Grace*, 1645, *The Grounds and Ends of the Baptisme of the Children of the Faithfull*, 1647, *Of the Holinesse of Church-Members*, 1650, *The New Covenant*, 1654, *A Treatise of the Covenant of Grace*, 1659; John Davenport, *The Power of Congregational Churches*, 1672; George Phillips, *A Reply to a Confutation*, 1645; Thomas Shepard, *The Sincere Convert*, 1640, *The Sound Beleever*, 1645, *The Church-Membership of Children*, 1663. No one work of Thomas Hooker is especially devoted to the covenant, but the theory recurs in all his sermons, and he gives it even more prominence than do the other divines.

long to it; yet you must know it, for it is the ground of all you hope for, it is that that euery man is built vpon, you haue no other ground but this, God hath made a Couenant with you, and you are in Couenant with him. . . .[1]

For all the members of this school, the doctrine of the covenant becomes the scaffolding and the framework for the whole edifice of theology; it is the essence of the programme of salvation. As Peter Bulkley phrases it, "Whatsoever salvation and deliverance God gives unto his people, his setting them free from this misery, he doth it by vertue of, and according to his Covenant."[2]

The theology of the Covenant of Grace, invested with such importance by these authors, proceeds upon a theory of history. It holds that man has not only been in relation to God as creature to creator, subject to lord, but more definitely through a succession of explicit agreements or contracts, as between two partners in a business enterprise. God entered into such a bond with man as soon as He created him. He stipulated that if Adam performed certain things He would pledge Himself to reward Adam and Adam's posterity with eternal life. In order that man might know what was required of him, Adam was given specific injunctions in the form of the moral law. In addition, the law was implanted in his heart, built into his very being, so that he might perform his duties naturally and instinctively. The original Covenant of Works, therefore, is the Law of Nature, that which uncorrupted man would naturally know and by which he would naturally regulate his life. Of course, Adam failed to keep this covenant, and by breaking the bond incurred the just penalties. But God did not rest there. Beginning with Abraham, He made a new covenant, and the seventeenth chapter of Genesis, which describes the new bargain, becomes thereby the basic text for the school. The new covenant is just as much an agreement as its predecessor, stipulating terms on both sides to which the contracting parties are bound.

. . . these words containe the *Covenant* on both sides, sayth the *Lord*, this is the *Covenant* that I will make on my part, *I will be thy God* . . . you shall haue all things in me that your hearts can desire: The *Covenant* againe, that I require on your part, is, that you be *perfect with me*, that you be *upright*, that you be without *hypocrisie*. . . .[3]

[1] *New Covenant*, p. 351.

[2] *The Gospel-Covenant, or the Covenant of Grace Opened* (2nd ed., London, 1651), p. 27.

[3] *New Covenant*, p. 38; the innovation of this theology upon the theology of Calvin becomes apparent when its interpretation of Biblical texts is compared with his. Calvin, for instance, finds no such proposal of terms in Genesis, xvii, but only a statement of the permanence of God's promises (*Institutes*, II. viii, 21; x, 9) or the institution of the sacraments of circumcision and baptism (*id.*, IV. xvi, 3; xvii, 21–22).

The idea of a mutual obligation, of both sides bound and committed by the terms of the document, is fundamental to the whole thought.

> It has pleased the great God to enter into a treaty and covenant of agreement with us his poor creatures, the articles of which agreement are here comprised. God, for his part, undertakes to convey all that concerns our happiness, upon our receiving of them, by believing on him. Every one in particular that recites these articles from a spirit of faith makes good this condition.[1]

Furthermore, in form at least, a bargain between two persons with duties on both sides is an arrangement between equals.

> . . . he takes *Abraham* as a friend for ever, and *Abraham* takes God as his friend for ever; and this league of friendship implyes not only preservation of affection, but it requires a kinde of secret communication one to another, and a doing one for another.[2]

In the Covenant of Grace, God, observing the form, contracts with man as with a peer. But since the Fall man is actually unable to fulfil the law or to *do* anything on his own initiative. Therefore God demands of him now not a deed but a belief, a simple faith in Christ the mediator. And on His own side, God voluntarily undertakes, not only to save those who believe, but to supply the power of belief, to provide the grace that will make possible man's fulfilling the terms of this new and easier covenant. "In the Covenant of works a man is left to himselfe, to stand by his own strength; But in the Covenant of grace, God undertakes for us, to keep us through faith."[3] Man has only to pledge that, when it is given him, he will avail himself of the assistance which makes belief possible. If he can believe, he has fulfilled the compact; God then must redeem him and glorify him.

The covenant which God made with Abraham is the Covenant of Grace, the same in which we are now bound. The only difference is that Abraham was required to believe that Christ would come to be mediator for the covenant and compensate God for the failure of Adam; since Christ we have merely to believe that He has come and that He is the "surety" for the new covenant. But from Abraham to Peter Bulkley the covenant between God and man is one and the same. "We are the children of *Abraham;* and therefore we are under *Abrahams* covenant."[4] This arrangement between the two is not simply a promise on God's part, it is a

[1] Sibbes, *Works*, I. civ.

[2] John Cotton, *Christ the Fountaine of Life* (London, 1651), p. 35.

[3] Bulkley, *Gospel-Covenant*, p. 86.

[4] *Id.*, p. 133 (cf. *id.*, pp. 38, 112–113, 120); Preston, *New Covenant*, pp. 352–353, 357; Hooker, *The Saintes Dignitie* (London, 1651), p. 104; Cotton, *The Grounds and Ends of the Baptisme of the Children of the Faithfull* (London, 1647), p. 38; Shepard, *Works*, III. 521.

definite commitment. These authors, in fact, practically do away with the conception of God as merely promising, and substitute a legal theory of God's delivering to man a signed and sealed bond. "It is impertinent to put a difference betweene the promise and the Covenant . . . The promise of God and his Covenant . . . are ordinarily put one for another."[1] The covenant therefore, is the only method by which God deals with man at all. Salvation is not conveyed by simple election, influence, promise, or choice; it comes only through the covenant and only to those who are in the covenant with God.

> God conveys his salvation by way of covenant, and he doth it to those onely that are in covenant with him . . . this covenant must every soule enter into, every particular soul must enter into a particular covenant with God; out of this way there is no life. . . .[2]

This legalized version of Biblical history may at first sight seem to offer nothing toward a solution of the problems of Calvinism. It may even appear an unnecessarily complicated posing of the same issues, for the grace which gives salvation even in the covenant comes only from God and is at His disposing. But in the hands of these expert dialecticians the account leads to gratifying conclusions. In their view it succeeded in reconciling all contradictions, smoothing out all inconsistencies, securing a basis for moral obligation and for assurance of salvation while yet not subtracting from God's absolute power or imposing upon Him any limitations prescribed by merely human requirements.

Because a definition of the divine nature must be preliminary to deductions concerning assurance and morality, the problems enumerated may be considered in reverse order. The first effect of the doctrine was to remove the practical difficulty of conceiving of the Deity as a definite character. He might still remain in essence anything or everything, incomprehensible and transcendent. That no longer need concern mankind, for in His contacts with man He has, voluntarily, of His own sovereign will and choice, consented to be bound and delimited by a specific programme. He has promised to abide by certain procedures comprehensible to the human intellect. He has not, it is true, sacrificed His sovereignty by so doing; He has not been compelled by any force of reason or necessity. He has merely consented willingly to conform in certain respects to stated methods. For all ordinary purposes He has transformed Himself in the covenant into a God vastly different from the inscrutable Divinity of pure Calvinism. He has become a God chained—by His own consent, it is true, but neverthe-

[1] Cotton, *Grounds and Ends*, p. 32.

[2] Bulkley, *Gospel-Covenant*, p. 47; cf. p. 28.

less a God restricted and circumscribed—a God who can be counted upon, a God who can be lived with. Man can always know where God is and what He intends. Thus Preston represents the Almighty speaking as He lays down the terms of the covenant:

> . . . I will not onely tell thee what I am able to doe, I will not onely expresse to thee in generall, that I will deale well with thee, that I haue a willingnesse and ability to recompence thee, if thou walke before mee and serue me, and bee perfect; but I am willing to enter into Couenant with thee, that is, I will binde my selfe, I will ingage my selfe, I will enter into bond, as it were, I will not bee at liberty any more, but I am willing euen to make a Couenant, a compact and agreement with thee.[1]

If God speaks to us thus, we then have His own authorization for ceasing to be concerned about His hidden character, His essence, and instead are warranted in assuming that in our experience we will find Him abiding by definite regulations. He will no longer do all the unimaginable things that He can do, but He "will do all things which he hath promised to doe,"[2] because the covenant is a mutual bond, and by consenting to it God has committed Himself—"by which God binds us to himselfe, as well as he binds himselfe to us. . . ."[3] He is no longer an unpredictable fury that strikes like the lightning without warning or reason—at any rate not in the business of salvation. John Cotton said, professing that he spoke with all reverence, that since the establishment of the covenant, God has become "muffled" as though with a cloak, so that "he cannot strike as he would, . . . he is so compassed about with his nature and property, and Covenant, that he hath no liberty to strike. . . ."[4]

As soon as the theologians of this school had explained what a covenant involved, they realized that they had come upon an invaluable opportunity to present the hitherto stern Deity in a new light. The very fact that God allows Himself to become committed to His creature must be in itself some indication of His essential disposition. Hence, if God condescends to treat with fallen man as with an equal, God must be a kindly and solicitous being:

> . . . how great a mercie it is, that the glorious God of Heauen and Earth should be willing to enter into *Couenant*, that he should be willing to indent with vs, as it were, that he should be willing to make himselfe a debtor to vs. If we consider it,

[1] *New Covenant*, p. 316.

[2] Bulkley, *Gospel-Covenant*, p. 276.

[3] *Id.*, p. 314.

[4] *The Way of Life* (London, 1641), p. 415. Cf. Hooker, *The Application of Redemption* (London, 1659): "Its Gods usual way so to deal not that he is tyed . . . to this manner of dealing upon necessity, but that he hath expressed it to be his good pleasure so to dispense himself" (p. 337).

it is an exceeding great mercie, when wee thinke thus with our selues, he is in heauen, and wee are on earth; hee the glorious God, we dust and ashes; he the Creator, and we but creatures; and yet he is willing to enter into Couenant, which implyes a kinde of equality betweene vs. . . .[1]

We need no longer torture ourselves trying to imagine a being made up at once of both justice and mercy, because in stooping to the covenant the Lord has shown that His mercy takes command of His justice. He is bearing in mind the frailties and desires of man, He is endeavoring to bind His will and His requirements to suit man's abilities. He tried the Covenant of Works with Adam, and it failed; He knew, says Preston, that it would fail if He tried it again. "There was no other way to make mankinde partaker of the Couenant of Grace, but onely by faith."[2] He is not aiming directly at His own glory, regardless of man's suffering, but is exerting Himself to secure man's happiness at the same time; His commandments to men "are for their good, and not for his profit."[3] "He stoops to all conditions of men," says Sibbes. "It is a most sweet sign of God's great love, that he will stoop so low as to make a covenant with us."[4] In the same terms the New England ministers expatiated upon God's mercy and condescension as proved by the existence of the covenant. He might easily have dealt with men "without binding himselfe in the bond of Covenant," said Thomas Shepard, "but the Lords heart is so full of love . . . that it cannot be contained so long within the bounds of secrecy. . . ."[5] Therefore Shepard rhapsodized upon the covenant thus:

Oh the depth of Gods grace herein . . . that when he [man] deserves nothing else but separation from God, and to be driven up and downe the world, as a Vagabond, or as dryed leaves, fallen from our God, that yet the Almighty God cannot be content with it, but must make himselfe to us, and us to himselfe more sure and neer then ever before![6]

[1] Preston, *New Covenant*, pp. 330–331.

[2] *Id.*, p. 364.

[3] *Id.*, p. 105.

[4] *Works*, VI. 6.

[5] Preface to Bulkley, *Gospel-Covenant*, p. B1 recto. Bulkley, in the text of this volume, finds God committed by His covenant not only to mercy, but to insuring both the success of the Massachusetts Commonwealth—"The Lords end in taking us into covenant with himself, is to make us a happy and blessed people. . . ." (p. 194)—and the material prosperity of individuals within the covenant: "for any one to say, I feare I am none of Gods people, because I prosper in the world, is all one as if he should say, I feare the Lord intends me no good, because he makes good unto me the blessings which he hath promised in his Covenant" (p. 299). Cf. John Ball, *A Treatise of Faith* (London, 1632), pp. 63–64, 351, 363; Thomas Cobbett, *A Just Vindication of the Covenant* (London, 1648), p. 40.

[6] Preface to Bulkley, *Gospel-Covenant*, p. B1 recto.

Naturally the burden of these reflections was that man should respond in kind: seeing God no longer harsh and cruel, but full of compassion, man's heart "melts toward the Lord, it relents, it comes to be a soft heart, that is easie and tractable."[1]

Certainly the implacable mystery celebrated in the *Institutes* has been materially transformed by the time He appears as the God of the covenant. He may still be essentially unknowable, but He has told enough about Himself, and betrayed enough of His character, so that He is not an utter blank. His eternal purposes are still "sealed secrets," but in the covenant He has given us more than a glimpse of their direction. "In Gods Covenant and promise we see with open face Gods secret purpose for time past. Gods purposes toward his people being as it were nothing else but promises concealed, & Gods promises in the Covenant being nothing else but his purposes revealed. . . ."[2]

Some of the deductions which followed these premises carry us still further from the conventional notion of the Puritan Jehovah. For one thing, the terms of the contract are decidedly reasonable. God has not only limited Himself to specific propositions, but to propositions that approve themselves to the intellect. "All the Commandments of God, are grounded upon cleare reason, if we were able to finde it out."[3] By propounding the covenant He has enabled us to find out the clear reason for salvation or reprobation. We do not have to do with "a confused God," Cotton says, one "that vanisheth away in a general imagination, but God distinctly considered," and it is as such that "the Lord giveth himself to Abraham and his seed."[4] Upon this basis these theologians thought that they could avoid the inconveniences of resting reason and justice upon the fiat of His arbitrary will. An eloquent section in Shepard's *Theses Sabbaticae* is devoted to proving that the particular laws which God has established are also the very laws of reason. Though by virtue of His absolute sovereignty God might have promulgated any laws He chose, those which He has voluntarily invested with moral significance are exactly the same laws which reason finds ethical, precisely as the terms to which He has voluntarily consented in the covenant are humanly understandable ones. "It is his will and good pleasure to make all laws that are moral to be first good in themselves for all men, before he will impose them upon all men." Goodness is consequently discoverable by right reason; the goodness of a moral law "is nothing else but that comely suitableness and meetness in the thing

[1] Preston, *New Covenant*, p. 321.

[2] Shepard, Preface to Bulkley, *Gospel-Covenant*, p. B2 verso.

[3] Preston, *New Covenant*, p. 32.

[4] *A Treatise of the Covenant of Grace* (3rd ed., London, 1671), p. 6.

commanded unto human nature as rational, or unto man as rational, and consequently unto every man."[1] Theoretically God is above and beyond all morality as we formulate it; yet by committing Himself to the covenant God has sanctioned as His law not just any absurdity, but things which are in their own nature suitable, good, and fitting. The difficulty of reconciling God's will with reason vanishes in this interpretation; reasonable justice and His sovereign power of enactment "may kiss each other, and are not to be opposed one to another."[2]

A God who conforms thus cheerfully to reasonable terms must obviously be all-excellent, "and therefore reasonable, he must have the most excellent faculties,"[3] and would therefore be such a one as would endeavor also to abide by reason in the ordering and governing of nature. Probably no other tenet reveals so clearly how earnestly these writers were striving to bring Calvinism into harmony with the temper of the seventeenth century. They made their gesture of obedience to the unconfined Deity of Calvinism. They prefaced their remarks with the statement that He always *could* interrupt the normal course of nature if He wished to, but they said that a God who voluntarily consented to a covenant would generally, as a matter of choice, prefer to work through the prevailing rules. The realm of natural law, the field of scientific study, and the conception of mathematical principle presented few terrors to this variety of Calvinist.[4] Preston declares: "*God* alters no Law of nature"; nature is not to be feared, it is "to be observed and regarded."[5] One and all, they insisted that God's dignity as ruler of the material universe is not curtailed if He be held to operate whenever possible through secondary causes rather than through miracles. He will appear even more admirable if He accomplishes His will by conspiring with nature, governing not the events themselves but the causes of events, without interrupting or jarring the normal processes. "We must know, God's manner of guiding things is without prejudice to the proper working of the things themselves. He guideth them sweetly according to the instincts he hath put into them."[6] He may come to the aid of His people by direct interposition in moments of crisis, as in the

[1] Shepard, *Works*, III. 31–37; it should be noted that by "reason" Shepard carefully points out that he does not mean reason as it is corrupted by sin, but "right" reason. However, he can pronounce with perfect certainty the rules of right reason by which to test the rationality and so the validity of a moral law (pp. 37–41).

[2] *Id.*, p. 42.

[3] Hooker, *Christs Last Prayer*, p. 422.

[4] Consequently the Federal theologians of Holland were among the earliest adherents of Descartes.

[5] *New Covenant*, p. 46.

[6] Sibbes, *Works*, I. 204–205.

passing of the Red Sea; more often He will contrive that assistance come by guiding the natural causes,[1] and when He has arranged "a course of means, we must not expect that God should alter his ordinary course of providence for us."[2]

Dr. Ames defined the Law of Nature as "that order in naturall things . . . common to all things of the very nature of things."[3] Preston stressed still more the inviolability of this order, and on such matters could quote Aristotle as easily as could Thomas Aquinas: "Nature, it cannot be altered againe, for that is the property of Nature, it still stickes by us, and will not be changed, but, as Aristotle observes, throw a stone up a thousand times, it will returne againe, because it is the nature of it to returne."[4] Ames was willing to carry his veneration for law almost to the point of relinquishing miracles. He replies to the "atheist" theory of pure mechanism, not by stressing Biblical marvels, but by insisting that there is more religious inspiration in the daily operations of Providence than in special acts, and that God's power is better demonstrated by His controlling nature without going contrary to it than in turning its course: "The things that are ordinary amongst us, wherein there is no such swarving, but they are constant in their course, doth not *God* guide them and dispose of them as he pleaseth?"[5] So in the government of man, God does not boot him about like a football, but leads him by persuasion and demonstration: "As God hath made man a free agent, so he guides him, and preserves that free manner of working which is agreeable to man's nature."[6] Even in dispensing grace, God does not thrust it abruptly or rudely into the soul. He does not act upon man with unnatural violence, but conveys grace along the ordinary channels; He contrives that it come to man in the regular course of events.

> . . . for he doth in the worke of grace, as he doth in the worke of nature. . . . *God* carries all things to their end, by giving them a nature suitable to that end. An Archer makes an impression vpon an Arrow, but it is a violent impression; *God* carries every thing to that end, to which he hath appointed it; but with this dif-

[1] Cotton, *Christ the Fountaine*, p. 33. On another occasion Cotton paraphrases "the Philosopher" to this effect: "*Miracula sine necessitate sunt multiplicanda*" (*Way of the Congregational Churches Cleared*, London, 1648, pt. i. 42); though the providence of God is not always predictable, yet "there is a settled order and constancy in that instability, as there is in the motions of the Heavens and heavenly bodies" (*Briefe Exposition upon the Whole Book of Ecclesiastes* (London, 1654, p. 66).

[2] Sibbes, *Works*, I. 225.

[3] *Marrow*, pp. 40–41.

[4] *The New Creature* (London, 1633), p. 97.

[5] *Life Eternall*, p. 33.

[6] Sibbes, *Works*, I. 197.

ference, that he makes not a violent impression, . . . & therefore he doth it not by an onely immediate hand of his owne, as we doe, but he causeth the Creature to goe on of it selfe, to this or to that purpose, to this or that end. And so he doth in the worke of grace; he doth not carry a man on to the wayes of righteousnesse, leaving him in the state of nature, taking him as he is, but he takes away that heart of his, and imprints the habits of grace in it, & he changeth a mans heart, so that he is carried willingly to the wayes of *God*, as the Creature is carried by a naturall instinct to its owne place, or to the thing it desires.[1]

Normally the instruments by which He engenders faith in an individual are the sermons of ministers and the sacraments of the church. These ordinances, it should be noted, are not in themselves the causes of faith, they are simply the "means." Though God is at perfect liberty to summon a man by a direct call, in the vast majority of cases He will work upon him through these secondary causes. When the sound of the preacher's voice comes to the ear, and the sense of his words to the mind, then by that means the Spirit comes into the soul, "either to convert thee, or to confound thee."[2] The physical impressions are not to be confused with grace itself. Nevertheless they are almost always the indispensable vehicles of grace: ". . . they are meanes to convey grace, mercy and comfort from Christ to our Soules. Though they are not meat, yet they are as dishes that bring the meat. . . . These are the conduits to convey this water of life. . . .[3] Therefore Cotton expressed the theory of sermonizing in New England when he said: "While we are thus speaking to you, God many times conveys such a spirit of grace into us, as gives us power to receive Christ. . . . The word that we speake conveyes spirit and life unto . . . [you]."[4] The grace of God is still theoretically free as the wind to blow where it listeth, but in most instances it is channelized in a sequence of causes that are understandable on a natural—we might almost say, in the jargon of today—"behavioristic" plane.

The historical theory of the Covenant of Grace, its progressive unfolding from Abraham to the Christian era, permitted these theologians to add the final touches to their portrait of the divine character. God did not simply present the covenant point-blank to fallen man, but introduced it by degrees, unfolding it gradually as men could be educated up to it. The beginnings of this conception are to be found in Ames, and it was probably his chief contribution to the system. He said that though from the time of Abraham there has been one and the same covenant, "yet the manner . . .

[1] Preston, *New Covenant*, p. 118.

[2] Hooker, *The Soules Exaltation* (London, 1638), pp. 27–28.

[3] Hooker, *The Soules Humiliation* (London, 1638), pp. 59–60.

[4] *Christ the Fountaine*, p. 174.

of administring this new Covenant, hath not alwayes beene one and the same, but divers according to the ages in which the Church hath been gathered."[1] While other writers in the school sometimes drew up charts of the stages different from Ames's,[2] all agreed that God has allowed the covenant to grow with time. He first administered it through conscience, then through the prophets and ceremonies, now through Christ, preaching of the Word, and the sacraments. He has done this, the writers agreed, out of solicitous consideration for man's limitations; had the whole thing been enunciated to Abraham, it would have put too great a strain upon his faith, already overburdened as it was in the effort to believe that Sarah would conceive. "Dr. *Ames* saith well," Bulkley wrote, "the Church was then considered . . . Partly as an heire, and partly as an infant. . . ."[3] By the long period of tuition in the covenant in its Old Testament form, the Church was educated up to grasping it clearly and distinctly.

> . . . the nature of man is so exceeding opposite to the doctrine of Christ and the Gospel, that if it had not been long framed by the tutoring of many hundred yeers by the Law, it had never been convinced of the necessitie of salvation by Christ, and the Gospel.[4]

The effect of this theory was to introduce an element of historical relativity into the absolute dogmatism of original Calvinism. God is seen deliberately refraining from putting His decisions fully into effect until man can cope with them and profit by them. He is not so much a mail-clad seigneur as a skillful teacher, and He contrives on every hand that men may be brought to truth, not by compulsion, but by conviction. For these reasons theologians of this complexion were eagerly disposed to prize knowledge, logic, metaphysics, and history. They were prepared to go as far as their age could go in the study of Biblical history and commentary, for truth to them resided in the history as well as in the doctrine. Preston confesses that intellectual persuasion and historical research are not in themselves sufficient for absolute faith in the Scriptures unless God also "infuseth an inward light by his Spirit to worke this faith." Yet even so he holds that sufficient testimonies exist in the Scriptures "to give evidence of themselves."[5] Knowledge is not to be despised because faith also is necessary: "Wisedome

[1] *Marrow*, p. 170; probably as a result of his teaching, Cocceius particularly stressed the evolutionary theory, and in Holland more energies were devoted to this aspect of the doctrine than in New England.

[2] *Id.*, pp. 38–42, 170 ff.; cf. Sibbes, *Works*, VI. 4.

[3] *Gospel-Covenant*, p. 118.

[4] Hooker, *Saintes Dignitie*, p. 105.

[5] *Life Eternall*, p. 57.

is the best of all vaine things under the Sunne."[1] Knowledge and faith must go hand in hand:

> I deny not but a man may haue much knowledge, and want Grace; but, on the other side, looke how much Grace a man hath, so much knowledge he must haue of necessity. . . . You cannot haue more Grace than you haue knowledge. . . .[2]

It is a significant indication of the bent of his mind that Preston argues for the reliability of Scripture because heathen histories corroborate Old Testament chronology.[3]

To describe this theology as "rationalism" would be very much to overstate the case; before the triumph of Newtonian science reason did not have the rigid connotation it was later to carry. Preston drew back from out-and-out mechanism, and he never doubted that even where God was steering events by the rudder of causation, He was charting the course according to His own pleasure. But in this way of thought appears an entering wedge of what must be called, if not rationalism, then reasonableness. It is a philosophy that put a high valuation upon intellect. Its tendency is invariably in the direction of harmonizing theology with natural, comprehensible processes. The authors were prepared to welcome the scientific advance of the century with open arms, until some of their successors in the next century were to realize too late that they had let the wooden horse of rationalism into the Trojan citadel of theology. But thus early there were few misgivings; the Puritans were so secure in their faith that they could with perfect serenity make it as understandable as possible. If we today insist upon supposing that their philosophy was an absolute authoritarianism, we ought to be very much disconcerted by their continual appeals to experience and reason, appeals which, from our point of view, imply assumptions altogether at variance with those of the creed. John Winthrop, in his manuscript debate with Vane in 1637, took it as axiomatic that man is a reasonable creature, and his statement of political theory in these papers owes more to logic than to the Word of God.[4] Thomas Hooker constantly reinforced a dogma by such statements as that it "hath reason and common sense to put it beyond gainsaying," or that to deny it "is to go against the experience of all ages, the common sense of

[1] *New Covenant*, p. 155.

[2] *Id.*, p. 446.

[3] *Life Eternall*, p. 55; he instances Alexander Polyhistor, Josephus, Cyril, "Chaldee Historians," Diodorus Siculus, Strabo, Xenophon, "The Tables of Ptolomy, lately found." Cf. George Phillips, *A Reply to a Confutation* (London, 1645): "The Argument from humane authority is as easily rejected as propounded, though otherwise much good use may be made of their writing" (p. 119).

[4] Thomas Hutchinson, *A Collection of Original Papers Relative to the History of Massachusetts Bay* (Prince Society Publications), I. 79 ff.

all men"; and Samuel Stone eulogized his colleague because "He made truth appear by light of reason."[1] Professor Morison has found that Elnathan Chauncy, while an undergraduate at Harvard in the 1660's, copied into his commonplace book the remark, "Truth and the rational soule are twins." According to the conventional notions of New England Calvinism this would seem to be somewhat startling. In view, however, of the disposition of the covenant theology, this truism was as appropriate to young Chauncy's background as some admonition concerning the integration of complexes might be to the undergraduate of today. Such passages make it increasingly clear that our notions of the Puritan philosophy, derived in the main from a casual acquaintance with "Calvinism," are in need of drastic reconsideration.

Setting forth from the nature of God as defined by the covenant, these theologians enjoyed clear sailing to the haven of assurance. The Covenant of Grace defines the conditions by which heaven is obtained, and he who fulfils the conditions has an incontestable title to glorification, exactly as he who pays the advertised price owns his freehold. God may continue to choose the elect in the impenetrable fastness of His will, but according to the covenant He has agreed to give the individual discernible grounds for His decision; He is bound to bestow salvation only upon those who achieve the qualifications, and, conversely, those who acquire the qualifications are absolutely certain of their salvation:

> . . . if thou beleeue, it is certaine then, thou art within the Couenant. . . . If thou canst finde this now, that thou art able to take *Iesus Christ*, to take him as a Lord and *Sauiour*, thou art able to beleeue all the Couenant of Grace, thou art by that put into the Couenant.[2]

And to be really in the covenant is to be through with all doubts and misgivings: "If ever thou art in covenant with *God*, and hast this seale in thy soule, that there is a change wrought in thee by the covenant, then thy election is sure."[3] The union with God is not torturing uncertainty, it is not a ravishing of the surprised soul by irresistible grace, unexpected and undeserved; it is a definite legal status, based on a *quid pro quo*, an "if I believe" necessitating a "you have to save me." God's will is originally free to pick and choose in any fashion, but once the covenant is drawn up, He no longer acts without a reason, He does not appear to man as a brutal or capricious tyrant. He is bound by certain commitments, He is compelled to play the game of salvation according to ascertained rules.

[1] *A Survey of the Summe of Church Discipline* (London, 1648), pt. i, pp. 50, 79, C3 recto.
[2] Preston, *New Covenant*, p. 390.
[3] Preston, *Life Eternall*, pt. ii, p. 84.

. . . God comes and sayes; *For my owne sake will I do thus and thus unto you in an absolute promise;* here is a ground for the faith of adherence to cleave unto. . . . There be also conditionall promises, (*He that believeth shall be saved*) by meanes of which (we having the experience and feeling of such grace in our selves) we grow to an assurance that we are of those that he will shew that free grace upon.[1]

The contract between God and man, once entered into, signed by both parties and sealed, as it were, in the presence of witnesses, is ever afterwards binding. This exceedingly legal basis furnishes the guarantee, not only for the assurance of the saints, but even for their perseverance. In the covenant, says Hooker, the soul "is inseparably knit to Christ";[2] though you falter in action and fall short of holiness, if you have once become a member of the covenant, the covenant "doth remain sure and firm," said John Cotton. "If we be hemm'd in within this Covenant, we cannot break out."[3]

Thus bound by His own commitment, God must live up to His word. If you do your part, He must, willy-nilly, do His. As Bulkley says, "He hath passed over those things by covenant, and he cannot be a covenant breaker"; hence, "we might have the more strong consolation, assuring ourselves of the fulfilling of his gracious promise towards us."[4] Pursuing this logic, these men broached one of their most daring ideas: if a man can prove that he has faith, he has then done his part and can hold God to account, hale Him into court and force Him to give what has become the man's just and legal due: "You may sue him of his own bond written and sealed, and he cannot deny it."[5]

. . . when faith hath once gotten a promise, be sure that thou keepe thy hold, pleade hard with the *Lord*, and tell him it is a part of his Couenant, and it is impossible that he should deny thee . . . when thou art on a sure ground, take no denyall, though the *Lord* may defer long, yet he will doe it, he cannot chuse; for it is a part of his Couenant.[6]

We do not surrender ourselves to God without getting something in return: "we require this back againe of God, that as we give up our selves a sacrifice to him, so that the Lord Jesus Christ might be imputed unto us."[7] If we are in the covenant, "we are then out of danger, wee need not to fear."[8] Considering what the background of Protestant thought had been, what ruthless determination had been postulated behind the predestinating Divinity, one might well feel that Preston comments upon this conception

[1] Bulkley, *Gospel-Covenant*, pp. 323–324. [2] *Soules Exaltation*, p. 8.
[3] *The Covenant of Gods Free Grace* (London, 1645), p. 18.
[4] *Gospel-Covenant*, p. 321. [5] Preston, *New Creature*, p. 23.
[6] Preston, *New Covenant*, p. 477. [7] Cotton, *Christ the Fountaine*, p.32.
[8] Cotton, *The Covenant of Gods Free Grace*, p. 18.

of salvation with an understatement that is almost comic: "This is a very comfortable doctrine, if it be well considered."[1]

The covenant theory admitted into the official theology many ideas that bade fair to undermine it entirely, and this idea, that man can by fulfilling terms extort salvation from God, might well seem the most incongruous. But at the moment the authors were confident that they had skillfully incorporated the new device into the old orthodoxy. Their account does not deny that God and God alone elects or rejects according to His mere pleasure; the grace which enables us to fulfil the covenant still comes from above, and only God knows whether we have it or not. But in practical life the dogmatic rigors of absolute predestination are materially softened. A juridical relationship is slyly substituted for the divine decree. Men cannot trace the private thought of God, but since God has agreed to manifest what He thinks concerning certain persons in an explicit bond, the individual has a way of knowing that much of the divine determination: "Now we can never know the things which are given unto us of God, but by knowing of the covenant which conveys all the blessings which God doth impart unto his people. . . ."[2] Stating the theory of predestination within this frame shifts the point of view from that maintained by Calvin. We no longer contemplate the decrees in the abstract, as though they were relentlessly grinding cosmic forces, crushing or exalting souls without regard for virtue or excellence; instead we are free to concentrate our attention upon what immediately concerns us. We do not have to ask whether God be ours; we need ask only whether we be God's. Sibbes presented this reversal in emphasis most clearly, though it can be found consciously recognized in the works of all the covenant theologians. A man has no grounds, he says, to trouble himself about God's election as it exists in God's own mind. "It is not my duty to look to God's secret counsel, but to his open offer, invitation, and command, and thereupon to adventure my soul."[3] To commence from the unfathomable election in the mind of God and endeavor then to discover if it pertains to oneself is the wrong procedure; one should begin with oneself, one's own response to God's proffered covenant, and argue from the degree of one's success in fulfilling it the fact of one's being chosen.

> Some are much troubled, because they proceed by a false method and order in judging their estates. They will begin with election, which is the highest step of the ladder; whereas they should begin from a work of grace wrought within their hearts. . . . Otherwise it is as great folly as in removing of a pile of wood, to begin at the lowest first, and so, besides the needless trouble, to be in danger to have the rest to fall upon our heads.[4]

[1] *New Creature*, p. 23. [2] Bulkley, *Gospel-Covenant*, p. 182.
[3] *Works*, I. 266. [4] *Id.*, p. 137.

In fact, Sibbes carried this argument so far that he can actually tell men to reach out for the covenant, to promise to abide by it, to take it upon themselves, before they have had any recognizable experience of regeneration. If they can succeed, they can very probably secure faith, not only by prayer and fasting, but by demanding that God reward them according to His bond.

> The way, therefore, will be to put this into the condition of your promise now, and prayer after. Lord, I have promised this; but thou knowest I cannot perform the promise I have made, and the condition thou requirest, of myself. But in the covenant of grace, thou hast said that thou wilt make good the condition . . . If we come with sincere hearts, and with resolution to please God, we may look for all the promises of God. All that he hath promised he is ready to perform, if we in faith can allege the promise. . . .[1]

The covenant made it possible to argue that while God elects whom He pleases, He is pleased to elect those who catch Him in His plighted word, and that it is up to fallen man to do so. The subtle casuistry of this dialectic is altogether obvious. Yet the spectacle of these men struggling in the coils of their doctrine, desperately striving on the one hand to maintain the subordination of humanity to God without unduly abasing human values, and on the other hand to vaunt the powers of the human intellect without losing the sense of divine transcendence, vividly recreates what might be called the central problem of the seventeenth century as it was confronted by the Puritan mind.

These considerations as to the grounds of assurance paved the way for the supreme triumph of the school—the establishment of a code of ethics and of moral obligation. In two respects they could achieve this end: first, by partial rehabilitation of natural man, and second, by incorporating moral effort into the terms of the covenant. For in this theory man as well as God is no longer left in precisely the state decreed by original Calvinism. God is seen condescending to behave by reason because in man there exists at least a potential rationality. Calvin himself had admitted that in depraved man lingered some remnants of the divine image in which Adam had been created, but, as we have seen, he held them too feeble to be of any use. The Federal theologians also held that these remains, in the form of natural reason or "the light of nature," were exceedingly unreliable, but they rescued them from the rubbish heap where Calvin had cast them. Perkins remained fairly close to Calvin on this question, but in Ames there are signs of the development. While repeating the usual dictum upon the deterioration of human nature, he points out that in all men some knowledge of truth is written in the heart, that a rudimentary incli-

[1] *Works*, VI. 24–25.

nation to goodness is found in the will, so that men pursue at least "shadowes" of virtue, and that we can learn enough from contemplating the natural universe to conclude, without the aid of revelation, that God exists and is to be worshipped.[1] In the work of Preston the importance of these "remains" is considerably accentuated. This achievement was greeted with hosannas by some of his contemporaries, one of his editors boasting that while his *Life Eternall* emblazons the glory of the Divine Essence, at the same time it delineates "the most noble dispositions of the Divine Nature in us, which are the prints and imitations of those his attributes."[2] Preston's sermons frequently remind his hearers that the soul, though fallen, "is the Image of the Essence of God," that it possesses both understanding (which in these discussions is used synonymously with "reason") and will, so that man "understands all things, and wils whatsoever he pleaseth."[3] The speculative faculty he defines as "that by which we know and judge aright concerning God and morall vertues," and its decisions are corroborated by the natural conscience and an innate inclination in the will:

> There is in naturall men not onely a light to know that this is good, or not good, and a Conscience to dictate; this you must doe, or not doe, but there is even an Inclination in the will and affections, whereby men are provoked to doe good, and to oppose the Evill. And therefore the proposition is true, that naturall men have some truths, because they have this Inclination remaining, even in the worst of them.[4]

As a matter of fact, Preston comes startlingly close to agreeing at times with Lord Herbert of Cherbury; all that the *De Veritate* says man may know by the unassisted use of reason the Puritan author would admit; he differs from the father of English Deism only in feeling that these conclusions are not quite enough in themselves for a religious man to live by.

> . . . when such a man knowes there is an almighty power, by his naturall wit, hee is able to deduce, if there be a God, I must behave my selfe well towards him, I must feare him as God, I must be affected to him as God, I must worship him with all reverence as God; but the most ignorant man confesses there is a God, no Nation denyes it. . . .[5]

[1] *Marrow*, pp. 56–57, 60–61, 63, 219.

[2] *Life Eternall*, p. A7 recto.

[3] *Id.*, p. 15.

[4] *The Saints Qualification* (London, 1633), p. 129.

[5] *Id.*, p. 222. How far the covenant thought had strayed from pristine Calvinism is nowhere better illustrated than in the contrast between Preston and Calvin on this very question of the "remains." What Preston says every man can know by nature Calvin says has at best been barely guessed by only the wisest of philosophers, and even their glimmerings are of no value, because they are overwhelmed in a mountain of falsehoods. "Human reason, then, neither approaches, nor teaches, nor directs its views toward this

Even when he insists that something more is necessary to man than the deductions of natural wit, Preston does not view them as antagonistic to faith. Imperfect as they are, they do not run contrary to supernatural illumination. Within the sphere of demonstration, for instance, the evidence of the senses is sound, Calvin to the contrary notwithstanding:

> Of all demonstrations of reason that we have to prove things, nothing is so firme as that which is taken from sense: to prove the fire is hot, we feele it hot, or honey to be sweet, when we taste it to be sweet: There is no reason in the world makes it so firme as sense: As it is true in these cases, so it is an undoubted truth in Divinity, that in all matters of sense, sense is a competent judge.[1]

Faith may be above reason but since reason comes as directly from God as does revelation, there can be no conflict between them:

> But, you will say, faith is beyond sense and reason, it is true, it is beyond both, but it is not contrary to both; faith teacheth nothing contrary to reason, for sense and reason are Gods workes as well as grace, now one worke of God doth not destroy another.[2]

Seen in this light, the imperfections of the human mind are not so much a vitiation resulting from sin, as simply the limitations under which a finite being inevitably labors. Confined in time and space, we cannot conceivably "see all the wheeles, that are in every businesse" or if we do see them, we are "not able to turne euery wheele."[3] In these purely physical terms Preston occasionally interprets original sin, and ideas of this sort can be matched

truth, to understand who is the true God, or in what character he will manifest himself to us" (*Institutes*, II. ii, 18). Calvin does grant that in secular realms—civil polity, domestic economy, mechanical arts, and liberal sciences—reason is capable of discovering good principles. But his explanation for this ability indicates the immense gulf between his thought and Preston's: the achievements of reason in any of these respects result from the talents possessed by occasional individuals, and these are temporary gifts bestowed here and there by God, not instances of an inherent ability still remaining in the soul (*id.*, II. ii, 12–17). Calvin is arguing for the utter incapacity of nature, relieved by occasional grants of power bestowed at the mere pleasure of an arbitrary sovereign. Preston is arguing for an innate and universal capacity in nature to achieve some good things in and by itself, even though the capacity is imperfect and cannot reach to the attainment of salvation. Cf. Hooker, *Application of Redemption* (p. 142): "The Lord hath left in thee the remainder of many natural abilities, hath lent thee the help of many common Gifts and Graces, which by Art and Education have grown to some ripeness." Hooker goes as far as to assert that in the human will, considering it "merely as it ariseth from the power of those natural principles whereof its made," there exist certain principles "which were at the first imprinted upon it," and which naturally incline it "to close with God . . ." (*id.*, p. 369).

[1] *The Cuppe of Blessing* (London, 1633), p. 10. Cf. Calvin: "Are all our industry, perspicacity, understanding and care so depraved, that we cannot conceive or meditate anything that is right in the sight of God? . . . In the estimation of the Holy Spirit . . . such a representation is consistent with the strictest truth" (*Institutes*, II. ii, 25).

[2] *Cuppe of Blessing*, pp. 12–13. [3] Preston, *New Covenant*, p. 565.

in all the writings upon the covenant. Sibbes declares that "the soul of man, being an understanding essence, will not be satisfied and settled without sound reason";[1] and Thomas Hooker defines man as "a living creature indued with a reasonable soul."[2] Thomas Shepard interpreted the Law of Nature as "all that which is agreeable and suitable to natural reason, and that from a natural innate equity in the thing," and taught that it is made known "either by divine instruction or human wisdom."[3] If rightly managed, the results of research, logic, and demonstration will therefore coincide with the teaching of Scripture, and should be held in almost as great esteem by Christians.

If traces of the image of God are still to be found in the soul, they should even more clearly be manifested in the material universe, where all can decipher them if they will. "The heavens are the worke of his hands, and they declare it, and every man understands their language."[4] "When a man lookes on the great volume of the world, there those things which God will have known, are written in capital letters."[5] Quite apart from faith, therefore, there are two important sources of truth to which man has immediate access: himself and his experience of the world. Hence, secular knowledge—science, history, eloquence, wisdom (purely natural wisdom) is doubly important for these Puritans; for knowledge is not only useful, it is a part of theology. Of course, the writers are always careful to stipulate, we must have Scripture to supplement the discovery of God in nature and providence, but having made that concession, they go on valiantly to exonerate the study of nature from the charge of obscuring the religious goal, and confidently press it into the service of theology. They insist that we can reach God through science as well as through revelation:

> For, though I said before, that Divinity was revealed by the *Holy Ghost*, yet there is this difference in the points of *Theologie:* Some truths are wholly revealed, and have no foot-steps in the creatures, no prints in the creation, or in the works of *God*, to discerne them by, and such are all the mysteries of the *Gospell*, and of the *Trinitie:* other truths there are, that have some *vestigia*, some characters stamped upon the creature, whereby wee may discerne them, and such is this which we now have in hand, that, *There is a God*.[6]

[1] *Works*, I. 409. [2] *Survey*, pt. i, p. 44.

[3] *Works*, III. 177. Cf. Cotton, *A Practical Commentary upon the First Epistle Generall of John* (London, 1656): "Though the Law of Nature was more dimly and darkly known, *Moses* Law was but a new draught of the Law of Nature in innocency. Heathen law givers, Philosophers, and Poets have expressed the effect of all the commandements save the tenth" (p. 234).

[4] Preston, *Saints Qualification*, p. 130. [5] *Id.*, p. 182.

[6] Preston, *Life Eternall*, pp. 4–5.

"The workes of Nature are not in vaine,"[1] and it behooves us to study them with as much care and precision as the Bible:

> Can we, when we behold the stately theater of heaven and earth, conclude other but that the finger, arms, and wisdom of God hath been here, although we see him not that is invisible, and although we know not the time when he began to build? Every creature in heaven and earth is a loud preacher of this truth. Who set those candles, those torches of heaven, on the table? Who hung out those lanterns in heaven to enlighten a dark world? . . . Who taught the birds to build their nests, and the bees to set up and order their commonwealth?[2]

Shepard pronounced a flat condemnation upon those who would cast the Law of Nature from the domain of theology merely because it is not so perfect today as at the Creation; these, he said, "do unwarily pull down one of the strongest bulwarks."[3]

The theologians were treading on dangerous ground at this point; they were perilously close to talking Arminianism. But in their own opinion they were still safe. They were carrying the frontiers of reason to the very boundaries of faith, yet they were not allowing them to encroach. They were careful to point out that regeneration cannot come by the intellect

[1] Preston, *Life Eternall*, p. 15. [2] Shepard, *Works*, I. 10.

[3] *Id.*, III. 178. The best revelation of the Puritan attitude toward the study of natural science that I have been able to discover among the writings of early New Englanders occurs in John Cotton's *Gods Mercie Mixed with His Iustice* (London, 1641, pp. 113–134), in a discourse on the feasibility of predicting fair weather from the aspect of the sky at sunset or sunrise. He expounds the meteorological theories of the time, but reminds his listeners that these theories are utterly incapable of establishing with scientific accuracy a necessary connection between a red sky and the subsequent weather. "Every man that observes them to bee evident, yet findes them not alwaies certain: And those that are best able to discerne the reason, and the naturall causes, are not able to say, that the event hath and will alwayes follow." This reflection leads to the conventional Puritan insistence that the providence of God rather than natural causality is to be accounted the reason for the behavior of phenomena, and Cotton declares that even if the signs were invariably followed by the correct effect, "and the reason were evident," the whole business is not of such importance that a man should busy himself with it overmuch. He inveighs against those who spend time in the study of "philosophy" when they should be occupied with their salvation: "It is the nature of hypocrisie to bee very quick sighted in points of nature, but very dull and heavy in matters of Religion and grace." Yet Cotton is far from intending hostility to natural science as such, for he immediately goes on to say that if nature is studied in subordination to religion, if the natural world is viewed, not as an end in itself, but as a symbol of the spirit, like "a mappe and shadow of the spiritual estate and soules of men," there need be no inhibition upon such investigation. "It is not utterly unlawful for men to make observation of the estate of the weather, and face of the sky; our Saviour doth not reproove it in them, but onely reprooves this, in that they were better skilled in the face of the sky, and signes of the weather, then in the signes of the times . . . He rejects not such kind of conjectures, there is a workmanship of God in them, nor doth hee mislike the study of nature." In this sense, Cotton can assert: "To study the nature and course, and use of all Gods works, is a duty imposed by God upon all sorts of men; from the King that sitteth upon the Throne to the Artificer" (*Briefe Exposition upon Ecclesiastes*, p. 23).

without the inspiration of grace, at the same time adding that the road to grace is also the highway of knowledge. They denied that faith imparts any new doctrines or enlarges the scope of the understanding; the doctrine, as such, can be grasped by anyone. "They may be enlightened to understand all the truths of God; there is no Truth we deliver to you, but an unregenerate man may understand it wholly, and distinctly, and may come to some measure of approbation."[1] Consequently, though by understanding alone no man may achieve salvation, any man does by nature learn so much of God's law that he cannot plead ignorance as an excuse for not obeying it. Here was indeed a triumph in the justifying of God's ways to man! Natural knowledge, such as all men can attain, cannot make a man holy, but it can at least render him inexcusable, and God is exculpated from the charge of injustice in His condemnations. An individual may not be able to deliver himself from the bondage of sin, but in the meantime he can be held personally responsible for doing what the light of nature teaches him is wrong.

. . . It is true, a man hath not power to performe these, but yet withall, I say, he hath power to doe those things, upon the neglect of which, God denyes him ability to beleeve and repent: So that, it is true, though a man cannot beleeve and repent, and neverthelesse for this is condemned; yet withall take this with you, there be many precedent Acts, which a man hath in his liberty to doe, or not to doe, by which he tyes God, and deserves this Iustly, that God should leave him to himselfe, and deny him ability of beleeving and repenting. . . .[2]

Because man still has reason, and reason is not utterly decayed, he has the power to recognize the good, to know when he sins, and to desire a better life. By thus reasserting a distinct validity for the natural reason, the Federal theologians took a long stride forward, entailing an obligation upon natural man to aspire toward moral perfection.

But when a reasonable creature lookes on a thing as *Eligible* or *non Eligible*, and not only so, but is able to reason on both sides, is able to see arguments for both, that makes it differ from Spontaneity, when there is no outer impediment, when you may take or refuse it, when you have Arguments to reason, and see the commodity and discommodity of it, your will is now free, so that I may truly affirme every man hath a free-will to doe that, for the not doing of which he is condemned. . . .[3]

[1] Preston, *Saints Qualification*, p. 152.

[2] *Id.*, p. 225. It should be noted that the idea of the Law of Nature being written in the heart sufficiently to render men inexcusable is good Calvinist doctrine (*Institutes*, II. ii, 22–25); but in Calvin natural knowledge of natural law serves *only* this use. It is of no validity for any further regulation of life, and it is incapable of formulating an ideal of righteousness; it merely exists to make men know they have fallen short of something which they cannot even conceive.

[3] *Id.*, pp. 224–225.

In accordance with their disposition to enlarge the sphere and opportunities of natural reason, the authors redefined, or rather redescribed the nature of grace itself. They did not forget that grace is an influx from the supernatural, but they preferred to concentrate upon its practical operations in the individual, and to conceive of it, not as a flash of supernal light that blinded the recipient, but as a reinvigoration of slumbering capacities already existing in the unregenerate soul. As in the ruins of a palace, so runs one of their favorite metaphors, the materials still exist, but the "order" is taken away, grace reëstablishes the order by rebuilding with the same materials.[1] Or as another image has it, natural promptings, passions, and desires are like the wind; holiness is the rudder. "So Nature, the strength of nature, affections, or whatsoever they be, are like the wind to drive the ship, thou mayst retaine them, only godliness must sit at the Sterne."[2] Grace, once infused into the soul, becomes itself "natural," just as when a man has learned to play a lute, the instrument becomes second nature to him; "so is this, it is planted in the heart, as the senses are, it is infused into the Soule, and then we exercise the operations of it; so that it is another Nature, it is just as the thing that is naturall."[3] Hence the faith preached in early New England was not the violent convulsion of the camp-meeting, but the exercise, under divine guidance, of reason and virtue. Thomas Hooker conceived that "the main principall cause of faith is rather an assisting power working upon, than any inward principall put into the soule to worke of its self."[4] In this description, faith emerges, not as prostration on the road to Damascus, but as reason elevated. It enables us to see existing truths exactly as a telescope reveals new stars:

> . . . and therefore they are said to be *revealed*, not because they were not before, as if the revealing of them gave a being unto them; but, even as a new light in the night discovers to us that which we did not see before, and as a prospective glasse reveales to the eye, that which we could not see before, and by its own power, the eye could not reach unto. . . .[5]

Faith does not require acquiescence in irrationalities, but empowers us to believe thoroughly in that which we can also accept intellectually. Faith is not intoxication, it is education.

> . . . Faith addeth to the eye of reason, and raiseth it higher; for the understanding is conversant, as about things of reason, so also about things of Faith; for they are

[1] Preston, *New Covenant*, p. 62.
[2] Preston, *New Creature*, p. 129.
[3] *Id.*, pp. 95–96.
[4] *Soules Exaltation*, p. 29.
[5] Preston, *Life Eternall*, p. 21.

propounded to the understanding, only they are above it, and must have faith to reveale them. . . . as one that hath dimme eyes, he can see better with the help of spectacles: even so doth the eye of reason, by a supernaturall faith infused. So that all the things which wee beleeve, have a credibilitie and entity in them, and they are the objects of the understanding; but we cannot finde them out, without some supernatural help.[1]

Consequently, once more, "faith teacheth nothing contrary to sense and reason."[2] Preston appears the most audacious of the school in this intellectualizing of grace, but his friends in New England were not far behind him. Shepard, for example, declared that God does not work upon believers as upon blocks, propelling them by an "immediate" act, because believers are rational creatures and therefore capable of acting as rational creatures. Grace is the renewal of God's image in them, "like to the same image which they had in the first creation, which gave man some liberty and power to act according to the will of Him that created him."[3] Hooker said that after grace has done its work and removed the obstructions of sin, "now Conscience is in commission and hath his scope, & the coast is now clear that reason may be heard."[4] According to this theology, the regenerate life is the life of reason.

This line of argument indicates a predisposition in the minds of early New England theologians to minimize the power of original sin, so that by pointing out the advantages which all men inherently possess, they could at least hold the unregenerate responsible for their own damnation. As far as we have followed them at this point, their conclusions concerning what remains of God's image in man since the Fall resulted simply from their strong bent toward making the most of what reasonable elements they could find in the original doctrine of Calvin, and thus far did not necessarily involve the covenant theory. But from the theory they were able to derive an ingenious support for their contentions, to construct a theoretical basis for maintaining that the image of God in man was not so hopelessly debauched as Calvin had imagined. For by conceiving the relationship between man and God as a contract, the sin of Adam appeared in a new light. Adam in his disobedience had broken a bond, had violated a lease. The punishment which he received as a consequence was not deterioration so much as it was the infliction of a judicial sentence; it was expulsion for non-payment, it was not inherent pollution. It was just such a disability as a man would suffer who was under sentence for embezzle-

[1] Preston, *Life Eternall*, pp. 46–47.

[2] Preston, *Cuppe of Blessing*, p. 13.

[3] Shepard, *Works*, III. 96–97.

[4] Hooker, *Application of Redemption*, p. 556.

ment or defalcation. Adam had stood as the agent, the representative of all men, the "federal" head of the race. When he, as the spokesman for man in the covenant, broke it and incurred the penalty for disobedience, it was imputed to his constituents as a legal responsibility, not as an inherent disease. These writers did not openly deny that all men were by birth partners in Adam's guilt, as Augustine had said and Calvin[1] had repeated after him, but they were very much inclined to give lip-service to this historic theory of transmission and then concentrate upon their own version of legal imputation. Both theories at once are outlined by Ames,[2] and amplified by Preston, who argues that men are corrupted first because they come from Adam's loins, but secondly and more importantly because they, as the heirs of Adam, have imputed to them the blame for breach of covenant.

> There being a compact and covenant betweene God and him, that if Adam stood, all his seed should stand with him; but if he fell, then that all that were borne of him should by vertue of that covenant, compact, or agreement have his sinne imputed to them, and so should be corrupted, as hee was, and die the death.[3]

Hooker in turn preached the double doctrine that men inherit a fallen nature from Adam but also incur the legal penalty for his failure as their agent: "Adam in innocencie represented all mankind, he stood (as a Parliament man doth for the whole country) for all that should be born of him."[4] Shepard taught that this was justice itself, "it being just, that as if he standing, all had stood, by imputation of his righteousness, so he falling, all should fall, by the imputation of his sin."[5] Original sin in this version becomes something like the poverty and disgrace a young man might suffer if his father were executed for treason and the estate confiscated. Such an explanation for the persistence of original sin seemed to these lawyerlike theologians more intelligent, more in keeping with the manners of a God who dealt with men through legal covenants. Man is born owing God a debt; his creditor compounds with him, making a new agreement out of consideration for his bankrupt state. When man fulfils the new and easier terms, the debt is cancelled. Though the debt is a serious hindrance to man's freedom of action, it is not an utterly crushing burden, and it does not entirely obliterate the qualities of reason and intelligence he possessed before he acquired it. So something of these qualities remains in him, enough to make him inexcusable for a neglect of God's law, enough to

[1] There is no suspicion of the legal imputation theory in Calvin; cf. *Institutes*, II. i, 7–8.
[2] *Marrow*, p. 67.
[3] Preston, *New Creature*, p. 19.
[4] *Saintes Dignitie*, p. 29.
[5] *Works*, I. 344.

leave him no defence if he fails in moral effort, particularly since God in the covenant has condescended to deal with him by appealing to precisely these qualities and ordering the scheme of salvation in just such a fashion as he can understand by virtue of them.[1]

Thus the Federal theory, freeing man from the absolute moral impotence of the strict doctrine, first made possible an enlargement of his innate capacities. Secondly, it provided a logical device for immediately enlisting these capacities in the service of morality, even before they had been further invigorated by divine grace. It had been with these considerations in mind that God framed the covenant precisely as He did, and thereby demonstrated His cleverness by devising a scheme to insure the continuation of moral obligation even in a covenant of forgiveness. He did not discard the Covenant of Works after Adam's fall; He included it within the Covenant of Grace. "For the Morall Law, the Law of the ten Commandments, we are dead also to the covenant of that law, though not to the command of it."[2] But in this arrangement it exists no longer as a command, the literal fulfilment of which is required of man, but as a description of the goal of conduct toward which the saint incessantly strives. The Law, which no man can perfectly fulfil any more, exists as a "schoole-master"; it teaches us what we should do, whether we can or no, and as soon as we realize that we cannot, we flee to Christ for the assistance of grace. And since Christ has satisfied God by fulfilling the Law, there is no necessity that we do it also. It is only necessary that we attempt it. God's agreement in the second covenant is that if a man will believe, he will receive the grace enabling him to approximate a holy life, but his failure to reach perfection will not be held against him. "We ought not to thinke, because we are not exact in keeping all the Commandements of *God* . . . that therefore *God* rejects vs. . . ."[3] The regeneration of any man, as long as he is in the body, will be imperfect at best. It will manifest itself in a perpetual struggle to an unattainable end, and according to the Covenant of Grace God will accept the intention and the effort for the deed.

. . . there will bee impuritie in the heart wherein there is faith, but yet where there is faith, there is a continuall purging out of impuritie, as it manifesteth it selfe You may conceive it by a similtude, if a pot be boyling upon the fire, there will a

[1] The entire direction of this argument—the enlarging of natural abilities to provide a fulcrum for the lever of moral incitement—had been condemned by Calvin in so many words. He held that all the Fathers except Augustine committed precisely this error for the same reason. They attributed to the reasoning faculty more power toward the pursuit of virtue than was proper, because otherwise "they supposed it impossible to awaken our innate torpor" (*Institutes*, II. ii, 4). From the heights of spiritual intensity upon which Calvin dwelt, he could afford to spurn all such devices for the coddling of faith.

[2] Cotton, *Way of Life*, p. 229. [3] Preston, *New Covenant*, p. 102.

scum arise, but yet they that are good house-wives, and cleanly, and neat, they watch it, and as the scum riseth up, they take it off and throw it away, happily more scum will arise, but still as it riseth they scum it off.[1]

The demand made upon benighted human nature in the Covenant of Grace is not exorbitant, and demonstrates again how solicitous God appears as He is pictured by this school. It is indeed a little surprising to the modern student to find how large a part of Puritan sermons was devoted to proving to people that they need not be weighed down with too great a sense of sin. The ministers seem to have been fully aware that the stark predestination of early Calvinism was too often driving sincere Christians to distraction, and that it needed to be softened, humanized. Hence they said again and again that there need be very little difference between the performances of a saint and the acts of a sinner; the difference will be in the aims and aspirations of the saint and in the sincerity of his effort. The proof of election will be in the trying, not the achieving. "God accepts at our hands a willing minde, and of childe-like indeavours; if we come with childe-like service, God will spare us; a father will accept the poor indeavours of his childe for the thing it selfe."[2]

Yet while our endeavors will be satisfactory though poor, they must still be real endeavors. Since the conception of grace in this theory is not so much that of rapture as of the reawakening of dormant powers, grace is by definition the beginning of a moral life. It is a strengthening of the remains of the Law that still exist in the natural heart, in unregenerate reason, and in conscience. Saints are not able to do all they should, "yet this they doe . . . . they carry a constant purpose of heart to doe it. . . . They never come to give over striving to doe it."[3] The regenerate, by the very fact of being regenerate, exert themselves to become sanctified:

> . . . by the same faith whereby we receive Christ to dwell in us, we receive the holy Spirit also, to work from Christ and through Christ, all that power of godlinesse which a Christian life holds forth, and from that day forward. . . .[4]

Conversely, it follows as night the day that sanctification is a very handy evidence of justification, and that we may even receive grace first in the form of a moral ability before we have any inward experience of regeneration.[5] God's predestination is of course absolute, He picks and chooses with-

[1] Hooker, *Saintes Dignitie*, pp. 4–5.

[2] Cotton, *Covenant of Gods Free Grace*, p. 12.

[3] Preston, *A Sermon Preached at A Generall Fast Before the Commons-House of Parliament* (London, 1633), p. 281.

[4] Cotton, *Way of Life*, pp. 347–348.

[5] Shepard, *Works*, III. 128. It was in the tangle of this argument that Mrs. Hutchinson

out regard to merit. But in the covenant He has consented to bestow His favor upon those who fulfil the conditions, and to guarantee to those who do so the assurance of their salvation. In this devious fashion the Puritans avoided the Arminian heresy of conditional election, but gained almost all that the Arminians sought by preaching a "conditional" covenant, which entailed the obligations of morality as thoroughly as did the erroneous doctrine, and yet did not bind the Lord to attend upon human performance.[1] "Though God's grace do all," said Sibbes, "yet we must give our consent,"[2] and Thomas Shepard wrote:

> God hath so linked together the blessing of the Covenant (which is his to give) with the duty and way of it (which is ours to walk in) that we cannot with comfort expect the one, but it will work in us a carefull endeavour of the other.[3]

Peter Bulkley reveals what the New England divines thought this version had gained over that of primitive Calvinism when he explains that if God simply predestined without imposing conditions, morality would fall to the ground, nothing would be required of men one way or another; but in the covenant our endeavors are made, not the cause, but the *sine qua non* of a heavenly future: "But hereby he would teach us, that when he makes

tripped and fell, and consequently denounced the law and works and called upon the regenerate to live by grace alone. And it was by the doctrine of the covenant that she was found in error and excommunicated by the Church of Boston: "If any therefore accuse the Doctrine of the Covenant of free grace, of Antinomianisme. . . . and if they commit any sin, they plead they are not bound unto the Law . . . The children of the Covenant of grace will onely tell you, that they are free from the Covenant of the Law, but not from the Commandment of it" (Cotton, *The New Covenant*, pp. 134–135).

[1] How strained the reasoning became at this point to distinguish the conditional covenant from Arminianism is illustrated by the argument of Peter Bulkley:

"The grace of the Covenant is free notwithstanding the condition, because we doe not put any condition as antecedent to the Covenant on Gods part, whereby to induce and move the Lord to enter in Covenant with us, as if there were any thing supposed in us, which might invite and draw him to take us into Covenant with himselfe; but onely we suppose a condition antecedent to the promise of life, which condition we are to observe and walke in; and in the observation thereof to expect the blessing of life which the Covenant promiseth" (*Gospel-Covenant*, p. 383).

The difference between the Federal theory and Arminianism, therefore, hinges upon the fact that in the covenant theory good works are not the cause, but the accompaniment of salvation. In the twentieth century, when theology has become a wearisome desert, this difference may seem to be a mere quibble over words, but to the first generation in New England it involved the fundamental problems of philosophy and of life: "Where we finde the promise of life made unto good workes, wee must not looke at them as workes of the Law, but as workes and fruits of Faith . . . These kind of promises . . . are . . . not casuall, but declarative, making manifest who be those true believers . . . In these promises workes are not set as the causes of our salvation, but as evidences and signes of those that do believe unto life" (*id.*, p. 384).

[2] *Works*, VI. 8.

[3] Preface to Bulkley, *Gospel-Covenant*, p. A2 verso.

with us a Covenant of Grace and mercy, he doth not then leave us at liberty to live as we list; but he binds us by Covenant to himselfe. . . ."[1] The legalistic tone of the thought is illustrated by Cotton's comparison of the conditions attached to the covenant to those of becoming "a free man of a Corporation," which are, he says, apprenticeship or purchase. Into the corporation of the godly there is no admission by purchase, and consequently all who hope for grace must serve an apprenticeship in learning the trade of godliness.

If we give our selves to be bound to this service, if we come to God, submit our selves to him in all things, to do with us as hee pleaseth, and as shall seem good in his sight, submitting our selves to be ruled and squared by him in all things, hee shall have our whole hearts to do with us what he will; here is the Covenant made up between God and a good Christian.[2]

Armed by this logic at every point, the theologians were prepared to concentrate their attack upon the question of passivity. They were equipped to counteract the danger of lassitude which threatened to result from the fatalistic doctrine of predestination. They could show that men are responsible for a great deal, even though God alone bestows grace, and in more ways than one they could prove that a sinner brings reprobation upon himself. All those who live within the hearing of Christian doctrine—particularly of covenant doctrine—are offered the opportunity of taking up the covenant, because to them its terms are made clear. An offer of the covenant from God includes also an offer of enabling grace, because God is under obligation to supply grace when He presents the contract to men. Therefore, when the covenant is presented, through the sermon of a minister, to a particular individual, and the individual does not then and there embrace it, or attempt to embrace it, then he must be resisting it. Though faith comes from God, yet because it is not forced upon any, but is presented through reasonable inducements, and is conveyed by "means," by sermons, and by sacraments, men have of themselves the power to turn their backs upon it, to refuse to be convinced by the most unanswerable demonstrations, to sneer at the minister, and to pay no attention to the sermon. Thereafter the onus is entirely on their own shoulders:

Take heede of refusing the acceptable time . . . Beloued, there is a certaine acceptable time, when God offers Grace, and after that hee offers it no more . . . there are certaine secret times, that *God* reserues to himselfe, that none knowes but himselfe, and when that time is past ouer, he offers it no more.[3]

[1] Bulkley, *Gospel-Covenant*, p. 315.

[2] Cotton, *Covenant of Gods Free Grace*, pp. 19–20.

[3] Preston, *New Covenant*, pp. 434–435.

Consequently, men must be constantly in readiness to take up the covenant, so that they will not fail to respond when the acceptable time comes to them individually.

The covenant theory, then, was an extremely strategic device for the arousing of human activity: it permitted divine grace to be conceived as an opportunity to strike a bargain, a chance to make an important move, an occasion that comes at a specific moment in time through the agency of the ministry. If an individual does not close the deal when he has the chance, he certainly cannot blame God because it gets away from him. "The Lord is a suitor to many a man," said Shepard, "that never gives himself to him."[1] The heathen, indeed, might have some grounds for complaint, but not those who live under a ministry, because to them the preaching of the Word is *ipso facto* the presentation of the covenant.

> ... they that live under such meanes, that are ever learning, and never come to the knowledge of the Truth, and so have brought a sottishnesse on themselves, they are inexcusable, because themselves are the cause of their not profiting, as a man that is drunke, though he is not able to understand the commands of his Master, yet because he was the first author of the drunkennesse, (which caused such sottishnesse), he is inexcuseable. . . . So . . . God requires no more of any man, than either he doth know, or might have knowne.[2]

Of course, God must give the faith; but by these agencies He is, as a matter of fact, giving it, and giving it thus out of respect for the intelligence of men. "Hee will not doe it without us, because wee are reasonable men and women, and God affords us meanes."[3] Consequently, the duty of any man in a Christian community is to use the means to the end for which they are intended:

> ... howsoever God promiseth to enable his people to doe all he commandeth, yet this shutteth not out their endeavour. His promise of enabling them is upon this supposition, that they doe indeavour in the use of the meanes he shall appoint them. The Lord in promising doth not meane that they should be idle, and look that he should doe all; but his promising includeth their endeavouring, and upon their endeavouring in the use of the meanes that God hath appointed, he hath promised to enable them to doe what he hath commanded.[4]

Hooker says that if persons have lived under a "powerful ministry" a half-dozen years or so and have not profited therefrom, "It is no absolute conclusion, but . . . it is a shrewd suspicion, I say, that God will send them

[1] *Works*, II. 31.

[2] Preston, *Saints Qualification*, p. 223.

[3] Hooker, "The Poore Doubting Christian," in *The Saints Cordials* (London, 1629), p. 361.

[4] Hooker, *Saintes Dignitie*, pp. 82–83.

downe to hell."[1] Consequently, it behooves us all not to lie back until the Lord comes to us, but to exert ourselves at once in accordance with the instructions of our pastor.

On these grounds the school carried on Perkins's tendency to reduce the actual intrusion of grace to a very minute point. They not only insisted that the tiniest particle is sufficient to start a man on the road to salvation, they even argued that before any faith is generated, a man can at least "prepare" himself for it. He can put himself in an attitude of receptivity, can resolve with himself not to turn down the covenant when it seems to be offered to him.[2] God may decree, but a man must find out whether the decree applies to himself; "the kingdom of heaven is taken with violence."[3] "You must not thinke to goe to heaven on a feather-bed; if you will be Christs disciples, you must take up his crosse, and it will make you sweat."[4] If any man excuse himself by the sophistry that Christ must work for him and that he cannot under his own power "bring forth fruit to him," that

[1] *The Soules Implantation* (London, 1637), p. 77.

[2] In many passages describing the extent to which an unregenerate man may go in the work of preparation, some of these writers passed beyond any limits that could be reconciled with Calvinism. In New England clearly the most extreme was Thomas Hooker, who with great eloquence magnified the possibilities of a man's producing in himself the receptive frame of mind, bringing himself to be "willingly content that Jesus Christ should come into it" (*Soules Implantation*, p. 34), and dared to assert that he who could force himself to the point of readiness would certainly receive grace in time. "It is onely in the way to be ingrafted into Christ; but so that undoubtedly that soule which hath this worke upon it, shall have faith poured into it" (*Soules Preparation*, London, 1632, p. 155). "If ever you thinke to share in the salvation that Christ hath purchased . . . if you would have him dwell with you, and doe good to you, either prepare for him, or else never expect him . . . Christ is marvellous ready to come, only he watcheth the time till your heart be ready to receive and entertaine him . . . If the soule be broken and humbled, he will come presently" (*Soules Implantation*, p. 47). It is probably significant, therefore, that John Cotton's regard for consistency was more circumspect, and though he, no less than Hooker, argued that unregenerate man was responsible for his own state, he could not admit that before some experience of faith a man could undertake even to put himself in readiness: "for our first union, there are no steps unto the Altar" (*New Covenant*, p. 54). "There is no promise of life made to those that wait & seek in their own strength, who being driven to it, have taken it up by their own resolutions" (*id.*, pp. 196–197). Yet even in denying the possibilities of natural preparation, Cotton prefaces his remarks: "Reserving due honour to such gracious and precious Saints as may be otherwise minded" (*Treatise of the Covenant of Grace*, p. 35). Under the circumstances this may very possibly be a reference to Hooker, and the difference of opinion between Hooker and Cotton on this important issue may throw some light upon the reasons why Hooker led the migration to Connecticut rather than remain in Massachusetts where Cotton had become installed as the principal interpreter of dogma. However, Thomas Shepard was in agreement with Hooker, and his *Sincere Convert* was attacked by Giles Firmin for demanding too much of natural man before grace (Shepard, *Works*, I. clxxxvi; cf. *id.*, I. 160–163, 173; III. 308).

[3] Shepard, *Works*, II. 57.

[4] Hooker, *The Christians Two Chiefe Lessons* (London, 1640), p. 64.

man despises Christ's honor, and in that act rejects the Covenant of Grace.[1]

In this respect, as in others, the covenant doctrine did not intend to depart from essential Calvinism; it did not openly inculcate free-will. But by conceiving of grace as the readiness of God to join in covenant with any man who does not actively refuse Him, this theory declared in effect that God has taken the initiative, that man can have only himself to blame if he does not accede to the divine proposal. This was indeed a marvellous stratagem for getting around a thorny difficulty in theology, a hazard which Calvin had simply taken in stride by asserting roundly that though God elects or rejects according to His pleasure, the responsibility for damnation is man's own. The generation of Peter Bulkley could no longer accept so brusque or unsophisticated an account as this. They were under greater compulsion to clear God of the charge of arbitrary condemnation and to place the responsibility for success or failure squarely on human shoulders. The result was the conception, not of conditional election, but of conditional covenant, according to which the absolute decree of God is defended, and yet the necessity of activity by man is asserted:

> The Lord doth not absolutely promise life unto any; he doth not say to any soule, I will save you and bring you to life, though you continue impenitent & unbelieving; but commands and works us to repent and believe, and then promises that in the way of faith and repentance, he will save us. He prescribes a way of life for us to walk in, that so wee may obtaine the salvation which he hath promised. . . .[2]

The covenant involved ethics in the very stuff of grace itself:

> . . . we must for our part assent unto the Covenant, not onely accepting the promise of it, but also submit to the duty required in it; or else there is no Covenant established betwixt God and us; we must as well accept of the condition as of the promise, if we will be in Covenant with God.[3]

The final outcome of the intricate system was a shamelessly pragmatic injunction. It permitted the minister to inform his congregation that if any man can fulfil the covenant, he is elected. The way for him to find out is to try and see: "Therefore goe on boldly, God hath promised to heare you, hee cannot deny you."[4] Whatever the differences among the various writers, there is a marvellous unanimity among them on the ultimate moral: "The way to grow in any grace is the exercise of that grace," said Preston.[5] "It is not so much the having of grace, as grace in exercise, that preserves the soul," said Sibbes.[6] And John Cotton said in Boston: "If thou hast but a thirsty soule, and longest for grace under sense of thine owne

[1] Shepard, *Works*, II. 224. [2] Bulkley, *Gospel-Covenant*, p. 313.
[3] *Id.*, p. 316; cf. pt. iv, *passim*. [4] Preston, *New Creature*, pp. 30–31.
[5] *The Saints Daily Exercise* (London, 1630), p. 35. [6] *Works*, I. 199.

droughtinesse, then God will not deny the holy Ghost to them that aske him."[1]

The conclusion toward which the doctrine of the covenant shapes is always the practical one that activity is the essence of a Christian life, that deeds are not merely the concomitants of faith, but can even be in themselves the beginning of faith. Some kind of revision of Calvinism seemed absolutely inevitable if the doctrine of justification by faith were not to eventuate in a complete disregard of moral performance. The covenant theology was the form that that revision took among this particular group of thinkers. It was the preliminary to their proving that faith without performance is an impossibility, a contradiction in terms, and that that which must be performed is the moral law, the law which reason and common sense know to be good in itself. In dogmatic Calvinism morality could exist only as a series of divine commands. It had no other basis, and to Calvin it needed no other. The covenant theology is a recognition on the part of a subsequent generation that this basis was inadequate, that it reduced morality to an arbitrary fiat, that it presented no inducement to men other than the whip and lash of an angry God. Consequently, in New England morality was first of all the specific terms of a compact between God and man, and rested, therefore, not upon mere injunction but upon a mutual covenant in which man plays the positive rôle of a coöperator with the Lord. In the second place morality was also that which can be considered good and just.

This conception was of tremendous value to the leaders of Massachusetts, not only in the realm of faith and personal conduct, but just as much in the realm of politics and society. The sphere of moral conduct includes more than such matters as individual honesty or chastity; it includes participation in the corporate organization and the regulation of men in the body politic. The covenant theology becomes, therefore, the theoretical foundation both for metaphysics and for the State and the Church in New England. An exhaustive study of the social theory would lead too far afield for the purposes of this paper, but a brief indication of the connection between it and the theology will demonstrate that without understanding this background we shall misread even such a familiar classic as Winthrop's speech of 1645 on liberty. That address is not what it is most often described as being—an expression of pure Calvinism. All that strictly Calvinistic political theory needs to contain is in the fourth book of the *Institutes*. It amounts in effect to the mandate that men must submit to magistrates because God orders them to submit, to the assertion that the power of the governor is of God, never of the people. But Winthrop outlines a much

[1] *Way of Life*, pp. 11–12.

more subtle conception in his account, and by invoking the covenant theory secures the sway of morality in the State in precisely the same fashion in which the theologians secured it in the religious life. He distinguishes between the liberty all men have in the state of nature, the liberty to do anything they wish, which generally means something bad, and the liberty men exercise in society:

> The other kind of liberty I call civil or federal, it may also be termed moral, in reference to the covenant between God and man, in the moral law, and the politic covenants and constitutions, amongst men themselves. This liberty is the proper end and object of authority, and cannot subsist without it; and it is a liberty to that only which is good, just, and honest.[1]

I do not believe that the real connotation of Winthrop's words has been altogether recognized in modern accounts. He is saying that just as the covenant between God and man is a coming to terms, and as the validity of that which is by its nature good, just, and honest rests not upon its intrinsic quality but upon its being agreed to by the contractors, so also in the State, the rule of law rests upon a similar agreement among the participants. The covenant theory cannot claim for that which is inherently good the force of a cosmic law, because the universe and man are corrupted; it cannot identify the good completely with the thought of God, because God transcends all systematic formulations. But being arrived at by compact, the good then acquires the power to compel obedience from those who have covenanted to observe it, be they gods or men. The personal covenant of the soul with God is impaled on the same axis as the social, like a small circle within a larger. Before entering into both the personal and social covenants men have a liberty to go their own gait; afterwards they have renounced their liberty to do anything but that which has been agreed upon. The mutual consenting involved in a covenant, says Hooker, is the "sement" which solders together all societies, political or ecclesiastical; "for there is no man constrained to enter into such a condition, unlesse he will: and he that will enter, must also willingly binde and ingage himself to each member of that society to promote the good of the whole, or else a member actually he is not."[2] The implanting of grace, being by definition an acceptance of the covenant, produces by the same token a people prepared and ready to be disciplined in a holy society. "The same Spirit quickneth us unto holy duties; so that . . . the Spirit sanctifying draweth us into an holy Confederacy to serve God in family, Church, & Common-wealth."[3] Peter Bulkley illustrates the paralleling of the social and political covenants

[1] Winthrop, *Journal* (Hosmer ed.), II. 239.

[2] *Survey*, pt. i, p. 50.

[3] Cotton, *New Covenant*, p. 34.

which is characteristic of New England theory by insisting that he who accepts the covenant must obey its terms, exactly "as in a Common-wealth or Kingdome, none hath the benefit of the Law, but those that subject themselves to the Law: none have the protection of authority, but those that obey it. . . ." [1] Since grace takes the form of enabling men to embrace the covenant, the regenerate automatically obey the law of God both in personal life and in social relations:

> . . . Where the Lord sets himselfe over a people, he frames them unto a willing and voluntary subjection unto him, that they desire nothing more then to be under his government . . . . when the Lord is in Covenant with a people, they follow him not forcedly, but as farre as they are sanctified by grace, they submit willingly to his regiment.[2]

The covenant upon which a Congregational church was founded was viewed by the theologians in the same light as the political compact. It was held to be a miniature edition of the divine covenant. The saints come together and formally agree to carry out in ecclesiastical life the obligations to which they stand individually bound by their covenant with God. The duties and requirements are those determined in the Covenant of Grace. The church compact is the agreement of the people in a body to constitute an institution which will facilitate the achievement of these ends. "The rule bindes such to the duties of their places and relations, yet it is certain, it requires that they should *first freely ingage* themselves in such covenants, and *then* be carefull to fulfill such duties." [3] The creation of a church by the saints is necessary, furthermore, because the church makes possible the machinery of "means." The argument from the covenant, therefore, clinched the

[1] *Gospel-Covenant*, p. 346.

[2] *Id.*, pp. 219–220. There can hardly be any doubt that the development of the covenant theology is in some fashion connected with the amplification of the social compact engineered by the lawyers and parliamentarians with whom the Puritans were associated in the struggle with the Crown. It is impossible to tell, without further research in the lives of such men as Preston and Sibbes and their associates, whether the political theory was the father of the theology, or the theology of the theory. It is clear, however, that the two ideas were developed *pari passu*. Certainly, in expounding the theological covenant the writers were constantly illustrating it by the analogy of the political, once more revealing the extremely legalistic cast of their minds.

"The Covenant which passeth betwixt God and us, is like that which passeth between a King and his people; the King promiseth to rule and govern in mercy and righteousnesse; and they againe promise to obey in loyalty and faithfulnesse. . . ." (*id.*, pp. 345–346). "Such a covenant there is usually in all well governed Common-wealths, unlesse the King comes in by way of Conquest and Tyranny, but in well settled Common-wealths, there is a Covenant and Oath between Prince and People" (Cotton, *Christ the Fountaine*, p. 34). From the political point of view this theology was a strategic assistance to parliament; it made God a constitutional monarch, so that James and Charles might feel no indignity in becoming such a ruler as well.

[3] Hooker, *Survey*, pt. i, p. 69.

theoretical justification for the existence of a formal ecclesiastical order, for the dispensing of sacraments, and for the application of such regulatory measures as censure and excommunication, while at the same time protecting the liberty of God to enter into covenant with anyone He chose, inside or outside the church. Yet as long as it seemed that God would normally work through the regular means, He would therefore generally dispense grace through the ordinances of the church. Consequently the children of the saints should be baptized as a means toward their conversion, and should be taken into the church covenant:

> *The Covenant of Grace* is to be considered, either according to the *benefits* of saving grace *given* in it, or according to the *means* of grace *offered*. . . . [The church covenant] is not the Covenant of the Gospel in the first sense; but it is within the verge, and contained within the compasse of the Covenant in the second sense.[1]

In this distinction between the covenant as faith and the covenant as the provision of means for the engendering of faith were contained the seeds of the difficulties which later produced the Half-Way Covenant. But in the first decades of New England history no difficulties were anticipated because the theologians were so supremely confident that grace would almost inevitably accompany the means. "God delights in us, when we are in his Covenant, his Covenant reacheth to his Church, and wee being members of that Church: Hence it comes to passe, that we partake of all the pleasant springs of Gods love."[2]

Thus the sign of true faith is not only a desire on the part of the regenerate individual to fulfil the moral law, but it is also a determination to join in the setting up of the one and only polity which Christ has outlined in Scripture. For this reason New England was settled: "When faith is stirring, it longs and desires much after the strongest, purest, and liveliest Ministery, and every Ordinance in the greatest purity."[3]

I have not attempted in this account of the covenant theology to give more than a rapid survey; the summary of each point could easily be amplified, and revealing quotations multiplied indefinitely. But in even as compressed a treatment as this, the bent of the thought becomes clear. In every position there is a remarkable consistency of tone, a resolute determination to solve the riddles of Calvinist theology, as far as may be possible by the ingenuity of man or the subterfuges of metaphysics, in a reasonable, comprehensible fashion, and yet at the same time to preserve, in form at least, the essential structure of Calvinism. To understand why these men

[1] Hooker, *Survey*, pt. i, p. 78.
[2] Cotton, *Covenant of Gods Free Grace*, p. 22.
[3] Cotton, *Way of Life*, p. 357.

should have been driven by this urgency, it is necessary to remember what was taking place in the intellectual life of Europe at the time, in science, in politics, in the work of Bacon, of Descartes, and of Hobbes. Within the limits of their particular theology, within the framework of their creed, these Puritans were responding to the same impulses as their philosophical contemporaries. They were seeking to understand, to draw up explicable laws, to form clear and distinct ideas, to bring order and logic into the universe. They could not interpret it as extension and movement as did Descartes. They could not reduce it to atoms as did Hobbes. They could not deify its natural construction as did the Newtonians. But oddly enough they could take many steps in the same direction once they had seized upon their fundamental discovery that God has voluntarily engaged Himself to regular, ascertainable procedures. The rest followed surely and easily from this premise: the validity of reason in man, the regularity of secondary causes in nature, the harmony of knowledge and faith, the coincidence of the arbitrary with inherent goodness, the intimate connection between grace and the incitements that generate grace, the necessity for moral responsibility and activity. Everywhere along the line the method of the divine dispensation, while authorized only by God and remaining under His constant control, is actually synchronized with a completely scientific account. God works grace in the soul, not by compulsion, but by persuasion and reasonable inducements, by the sermon of the minister which penetrates the sinner's mind. Was the real cause God working through the sermon, or was it the sermon itself? The authors had no hesitancy in saying that the sermon was simply the efficient cause and that God was the final cause, but they were delighted to find that God's activity could take the form of a natural stimulus. This seemed to make religion doubly secure and to enhance it by the addition of comprehensibility.

Yet there is a caution to be observed before we rest in this conclusion. By marshalling from the works of Cotton and Hooker passages which deal only with the covenant and its implications, an impression could easily be created that New England thought had ceased to have any affinities with Calvinism, that there was really no difference between the Puritans of the covenant school and the rational theologians of the century who, like John Smith listening to the Arminians at Dort, had bidden Calvin good-night. To imply that there is an essential unanimity between Preston and Chillingworth, Cotton and Whichcote, would be to misread the whole history of Puritanism. For reasonable as this system was, coherent and uniform as was its cosmology, sequential as was its theory of causation, in the final analysis the basis of every contention, the goal of every proposition, was still the transcendent, omnipotent Divinity.

The achievement of this theology was that it did everything that could be done to confine the unconfinable God in human terms. It transformed the revealed Word from an exaction arbitrarily imposed by a conqueror into a treaty of mutual obligation. But it never forgot that at the long last God is not to be fathomed, understood, or described with absolute certainty. Such certainty as we do have is temporary, the result of an agreement, of God's having consented to be bound in the main by such and such conditions, of His condescending for the moment to speak the language of men. There is no absolute guarantee that *all* His manifestations will appear within the scope of the covenant. The essence of Calvinism and the essence of Puritanism is the hidden God, the unknowable, the unpredictable. In this sense the Puritans were indeed Calvinists. They hedged the undiscoverable Essence about with a much more elaborate frame than did Calvin. They muffled it and cloaked it (to borrow Cotton's phrase), they cabined it and circumscribed it up to a point; and though the point was far beyond anything Calvin would have allowed, there was still a limit beyond which even the Federal theologians could not go. They could not say that natural law was immutable and eternal, though they might say it was generally reliable. They might say that God's justice was for all intents and purposes the same as human justice, but they could not say that it was invariably the same. Always they had to leave a loophole, they had to be wary and circumspect; for behind the panorama of the world, behind the covenant and behind the Scriptures there loomed an inconceivable being about whom no man could confidently predict anything, who might day in and day out deal with man in stated forms and then suddenly strike without warning and scatter the world into bits. There was no telling with unqualified certitude what He might do; there was only the rule of thumb, the working agreement that by and large He would save and reject according to reason and justice as we understand the words. For ordinary purposes this was enough; we could feel fairly secure, we need not be too distraught. But the Puritan, as long as he remained a Puritan, could never banish entirely from his mind the sense of something mysterious and terrible, of something that leaped when least expected, something that upset all regularizations and defied all logic, something behind appearances that could not be tamed and brought to heel by men. The covenant thought kept this divine liberty at several removes, placed it on a theoretical plane, robbed it of much of its terror, but it could not do away with it entirely.

The respects in which these men, for all their efforts at intellectualization, remained essentially Puritans may perhaps appear if we briefly compare the Puritan reasonableness of John Preston with the Anglican reasonableness of Jeremy Taylor. In the *Ductor Dubitantium* Taylor's exposi-

tion of the Law of Nature and his determination of the segment of it that is also moral law are so very close to the pronouncements of Preston and Thomas Shepard that at first sight there seems to be no philosophical conflict between them. But for Taylor the conclusions reached by right reason, the dictates of justice, and the ideals of goodness cannot be invested with divine sanction merely because God, out of sovereign pleasure, elected to give them a binding force when He might just as well have enacted rules contrary to all human expectations. Taylor denies that it is even remotely possible that there remain a hidden God, outside and above reason. God *is* reason. There cannot be one justice on earth and another in heaven:

> . . . how can we understand Him so, but by the measures of justice? and how shall we know that, if there be two justices, one that we know, and one that we know not, one contrary to another? If they be contrary, they are not justice; for justice can be no more opposed by justice, than truth to truth: if they be not contrary, then that which we understand to be just in us is just in God, and that which is just once is just for ever in the same case and circumstances. . . .[1]

The measure of all virtue must be the same for God as for us. God cannot have a secret will distinct from his revealed one. He does not commit Himself to any rules simply through choice; the rules in themselves must be good, and God must inevitably, inescapably, instinctively follow them and no others. There can be no such thing as an offer of the covenant, an invitation to all men, and yet a secret withholding of grace without which man cannot respond. Taylor satirizes the Puritan position with telling irony; the Puritan, as he portrays him, is forced to cry:

> . . . It is true, O God, that Thou dost call us, but dost never intend we should come, that Thy open will is loving and plausible, but Thy secret will is cruel, decretory, and destructive to us whom Thou hast reprobated; that Thy open will is ineffective, but Thy secret will only is operative, and productive of a material event, and therefore although we are taught to say, Thou art just, and true in all Thy sayings; yet certainly it is not that justice which Thou has commanded us to imitate and practise, it is not that sincerity which we can safely use to one another, and therefore either we men are not just when we think we are, or else Thou art not just who doest and speakest contrary things, or else there are two contrary things which may be called justice.[2]

For Preston and the Puritan theologians of the covenant it was enough that God had consented to reason and had made an effort to fit His will to the requirements of abstract justice. They would not dogmatize further about His essence, and they felt that no man had a right to. They would expound the laws of reason and the laws of nature step by step with Taylor,

[1] *Works* (Reginald Heber, editor, London, 1851), IX. 67. [2] *Id.*, pp. 67–68.

they would extol justice and virtue as much as he, but they would not affirm that these human constructions, these intellectual values, were necessarily part and parcel of the cosmos. God's will coincides roughly with such conceptions, but not always exactly. The universe is almost always regular and orderly, but there is the one chance in a million, the one inexplicable accident, the one fact that will not fit into any scheme. There is every so often the apparently good man who cannot be saved or the hopeless wretch who is lifted from the gutter to glory in spite of all that we think appropriate. "If he take pleasure to breathe in a man, there is nothing can hinder him, it will blow upon the most noysome dunghill in any place, and be never a whit the more defiled."[1] In a Christian community the machinery of conversion is set up, the covenant proposed, the terms made explicit, the means set in order, and yet in spite of all the best intentions this or that individual may never be able to join the covenant. And there is no explaining why, except that it is God's pleasure to withhold the ability from that particular man. Even the godly, after they have become partakers of the covenant, will not dwell in happiness and comfort. Their existence, as much as that of other men, will be hard and full of anguish:

> It will be a vaine thing for men to think to escape scot-free from afflictions, and yet live a godly and an holy life; it never fell out otherwise, but as sure as thou art sprinkled with the water of Baptisme, so sure thou shalt be drenched in affliction.[2]

It is this sense of the exceptional that always can happen, of the incomprehensible, of the margin of human error in grasping ultimate truth, that perpetually exists in the back of the Puritan's mind; all his attempts at expounding proceed upon the recognition that all exposition is bound to fail of complete explanation:

> . . . there is something of the Essence of *God*, that may not bee inquired into, ... Looke not for a full knowledge of him, but onely for a small degree of it. . . . We should learne from hence, not to be searching and prying into the counsels of *God;* as to inquire why so many are damned, and so few saved; how the infallibilitie of *Gods* will and the libertie of mans will can stand together. . . . These, and all other such, we must be content to be ignorant of; for he doth not reveale himself fully in this life . . . We should be content to let *God* alone, not to inquire into all his actions, into the ground and reason of all his works . . . We should doe thus, stand upon the shore, (as it were) and behold his infinite Essence . . . and goe no further; as a man that stands upon the sea-shore, and sees the vastnesse of the sea, but dares goe no further, for if he goes into the deepe, he is drowned: You may looke into *Gods* Essence, and see and admire it; but to thinke that thou couldest comprehend *God* is as if a man should think to hold the whole sea in the hollow of his hand. . . .[3]

[1] Cotton, *Way of Life*, p. 113. [2] *Id.*, p. 477.
[3] Preston, *Life Eternall*, pp. 100–102.

The Puritan wished to bring his theology into harmony with science and reason wherever they might be made to coincide, but he could never lose his hunger for the inward exultation that came from a union with God which, though it might be brought about by natural causes, was yet something supernatural, something different from the causes, something which was bestowed only at the pleasure of God. Faith adds no new doctrine, teaches us no new facts, is not an addition to the contents of the mind. It is a glow of inspiration that quickens knowledge, and for that reason is all the more valuable and indispensable:

> There is indeed a common faith, which the others may have, and thou mayest have, but the strong faith ariseth from the Spirit, *God* dispenseth it where he pleaseth; this infused faith is not gotten by strength of argument, or perspicuitie of the understanding; it is not brought in by custome, but *God* doth worke it; it is not all the antecedent preparation that will doe it, but *God* must first worke it, and then you are able to beleeve these principles of faith, and able to beleeve them to the purpose.[1]

Morality and God's decree may, as we have seen Shepard saying, kiss each other and agree, but the Puritan could never forget that the agreement comes of God's own choice, and Shepard must add that the agreement is not always perfect, that the will of God remains superior to the demands of human equity. "When they [moral precepts] are called perpetual and unchangeable, we must understand them in respect of God's ordinary dispensation; for he who is the great Lawgiver may, and doth sometimes extraordinarily dispense with moral laws."[2] The Puritan temperament is nowhere so well illustrated as in the contrast between the tenor of these passages and the tendency of the Puritan metaphysic. As far as possible Puritans would explain, draw diagrams, plot the course of God's will, and generalize upon His character. But it would be the end of Puritanism if they ever succeeded completely in penetrating the ultimate secret, if they could reach the point of saying that thus and so is not simply the way God does behave, but the way in which He must behave for these and those reasons. If the covenant theology is, as I think it is, a characteristic product of the Puritan mind, then we are perhaps justified in describing Puritanism as a willingness to follow nature and reason as far as possible, but not completely; for though Puritanism will use reason and enjoy nature, it can never overcome a fundamental distrust. As Hooker says upon a chapter from the Gospel according to John:

> For there be some depths in some passages of the verse which are fitter to be admired, than comprehended, and exceed the reach, and discovery of the most

[1] Preston, *Life Eternall*, pp. 68–69. [2] *Works*, III. 35.

Judicious Interpreter, that I can look into, and indeed, seem to be reserved for another world, when the fruition of the good here mentioned will prove the best interpretation. We will study to be wise unto sobriety.[1]

To be wise unto sobriety was the purpose of this theology, to elucidate the laws of God's universe, but to keep a wary eye upon the unpredictability, the mystery of God. The evidence of subsequent history, both in England and in New England, would seem to be that it failed. Eventually the ideas which it introduced into the creed, reinforced by the triumph of Newtonian physics, displaced the theology in the estimation of such men as Charles Chauncy. The moral of this episode in the story is, I think, that the Calvinism to which the Puritans were ostensibly dedicated was already in the process of far-reaching modification at the hands of English theologians before it was transported to Massachusetts. The men who directed the intellectual life of seventeenth-century New England left Cambridge and London when their tradition was in the first flush of transformation. They did not depart until into that tradition, under the guise of a doctrine of covenants made by God with man, there had been injected many ideas which derived, not from theology and revelation, but from law, from the study of nature, from the principles of reason and common sense. As time went on, the incompatibility of these ideas with the official confession was bound to become more apparent. Seen in this light, the development of rationalism in eighteenth-century New England is not a phenomenon produced entirely by the stimulation of imported ideas. The intellectual life of American Puritans in the seventeenth century was by no means so sparse and monotonous as it has sometimes been accused of being. The pristine doctrine was not rigorous, iron-clad, and inflexible; it had in it the elements of complexity, the seeds of future growth, making for diversity and contradiction. That period which is sometimes spoken of as the "glacial age" was not an era of intellectual dearth and philosophical sterility, but one of slow progression toward the ultimate separation of the diverse attitudes which had somehow been awkwardly and unwittingly put together in the covenant theology of Ames, Preston, and Sibbes. It was, therefore, no accident, no violent break in the course of New England thought, that John Wise should shift the grounds for defending Congregationalism from the Bible to the laws of reason and nature and to the character of the social compact. It is also not surprising to find that when Jonathan Edwards came to feel that rationalism and ethics had stifled the doctrine of God's sovereignty and dethroned the doctrine of grace, he threw over the whole covenant scheme, repudiated the conception of transmission of sin by judicial imputation, declared God unfettered by any agree-

[1] *Christs Last Prayer*, p. 110.

ment or obligation, made grace irresistible, and annihilated the natural ability of man. It was Jonathan Edwards who went back to the doctrine from which the tradition had started; went back, not to what the first generation of New Englanders had held, but to Calvin, and who became, therefore, the first consistent and authentic Calvinist in New England.

The Reverend HENRY WILDER FOOTE read a paper on "Was Jeremiah Dummer a Painter of Portraits?"[1]

Mr. ROBERT F. SEYBOLT presented by title the following note:

The Ministers
at the Town Meetings in Colonial Boston

AT a meeting on February 27, 1701/2, the selectmen of Boston voted that "M[r] Cotton Mather is to be desired to be present to begin the Town meeting one [*sic*] the 9th of March next." In the more usual phrase of later records, he was to be invited "to open the Meeting with Prayer." This record in the selectmen's minutes is the earliest official reference to such a practice. The custom may, however, have been established at the first town meeting.[2] If so, it is rather remarkable that in the minutes of some two hundred earlier town meetings, covering a period of sixty-eight years, the recorders and clerks were consistent in their omission of reference to the prayer. As a matter of fact, it was not until March 8, 1724/25, that the town clerk used the phrase "after prayer," which appears in the minutes of many town meetings in the eighteenth century. Before that date, invitations only were recorded; and the town meeting minutes will not permit one to say whether they were accepted.

A complete list of those clergymen who were invited and of those who officiated is worthy of reproduction:[3]

ELIPHALET ADAMS (*Brattle Street*)

Inv., April 6, 1703, for April 12, 1703[4]

[1] Printed in Hermann F. Clarke and Henry W. Foote, *Jeremiah Dummer, Colonial Craftsman and Merchant*, pp. 101–127.

[2] Sewall's Diary contains references earlier than those found in the official records—March 8, 1685/6: "Mr. [Samuel] Nowell begun with Prayer, and I, by mere accident being left, was fain to conclude" (5 *Coll. Mass. Hist. Soc.*, v. 125); March 14, 1686/87: "Capt. [William] Gerrish [the moderator] begun and ended with Prayer (*id.*, p. 170); May 21, 1688: "No Prayer" (*id.*, p. 214).

[3] The invitations are in the selectmen's minutes. The other records, which show that the minister in question actually did officiate, appear in the minutes of the town meetings.

[4] Eliphalet Adams was an assistant to Benjamin Colman, August, 1701–February, 1704.

Samuel Blair (*Old South*)
May 4, 1768

Penuel Bowen (*New South*)
March 13, 1769; May 7, 1771[1]

Mather Byles (*Hollis Street*)
March 8, 1735/36; November 25, 1740; March 9, 1740/41; March 10, 1745/46; May 14, 1746;[2] May 15, 1759; May 10, 1763

Charles Chauncy (*First Church*)
March 11, 1727/28; May 8, 1734; May 2, 1739;[3] March 14, 1742/43; March 11, 1754; March 8, 1762; March 10, 1766; May 8, 1770; May 6, 1772

Samuel Checkley, Sr. (*New South*)
November 20, 1727; March 10, 1728/29; May 12, 1730; March 8, 1730/31; May 10, 1738; May 3, 1745;[4] June 3, 1746; May 15, 1750; May 15, 1753 (*perhaps Samuel Checkley, Jr.*); March 13, 1758; May 12, 1761; September 27, 1765 (*perhaps Samuel Checkley, Jr.*)[5]

Samuel Checkley, Jr. (*Old North*)
May 10, 1748; May 15, 1753 (*perhaps Samuel Checkley, Sr.*); May 11, 1756; May 13, 1760; March 11, 1765; September 27, 1765 (*perhaps Samuel Checkley, Sr.*)

Benjamin Colman (*Brattle Street*)
March 11, 1699/1700;[6] inv., February 10, 1702/3, for February 16, 1702/3; March 12, 1710/11;[7] March 14, 1725/26; June 25, 1728; March 12, 1732/33

Samuel Cooper (*Brattle Street*)
March 14, 1747/48; May 12, 1752; March 8, 1756; May 15, 1764; March 14, 1768; September 12, 1768; March 12, 1770; May 13, 1774; May 13, 1775

William Cooper (*Brattle Street*)
May 8, 1727; May 9, 1733; September 21, 1733; September 13, 1737; March 13, 1737/38; June 16, 1741; May 31, 1742

Andrew Eliot (*New North*)
May 4, 1743; March 9, 1751/52; May 16, 1755; March 10, 1760; March 12, 1764; May 8, 1767; March 14, 1774

[1] The selectmen voted, May 2, 1771, to invite Andrew Eliot.

[2] The selectmen voted, May 7, 1746, to invite William Hooper.

[3] The selectmen voted, April 27, 1739, to invite Joshua Gee.

[4] The selectmen voted, April 29, 1745, to invite Thomas Foxcroft.

[5] The town clerk did not indicate which Samuel Checkley it was in 1753 and 1765. Samuel Checkley, Sr., ordained November 22, 1719, died December 1, 1769; Samuel Checkley, Jr., ordained September 3, 1747, died March 19, 1768.

[6] 5 *Coll. Mass. Hist. Soc.*, VI. 9.

[7] *Id.*, p. 303.

THOMAS FOXCROFT (*First Church*)
November 3, 1727; March 9, 1729/30; March 11, 1733/34

JOSHUA GEE (*Old North*)
December 27, 1727; January 20, 1730/31; March 10, 1734/35

ELLIS GRAY (*New Brick*)
May 8, 1741; May 12, 1747; December 26, 1748

WILLIAM HOOPER (*West Church*)
December 10, 1739; March 10, 1739/40

JOHN HUNT (*Old South*)
March 9, 1772[1]

JOHN LATHROP (*Old North*)
May 5, 1769; May 10, 1774

COTTON MATHER (*Old North*)
March 14, 1697/98;[2] inv., February 27, 1701/2, for March 9, 1701/2; inv., February 22, 1702/3, for March 8, 1702/3; March 13, 1709/10;[3] inv., November 16, 1714, for November 30, 1714; inv., February 27, 1715/16, for March 12, 1715/16; inv., May 6, 1718, for May 14, 1718; March 8, 1724/25

INCREASE MATHER (*Old North*)
Inv., April 25, 1715, for May 17, 1715

SAMUEL MATHER (*Old North; later, North Bennet Street*)
May 7, 1735; May 7, 1740; March 9, 1746/47; May 14, 1751; May 15, 1754; March 12, 1759; March 14, 1763; March 9, 1767; March 5, 1771; May 5, 1773; September 25, 1774

JONATHAN MAYHEW (*West Church*)
May 9, 1747

EBENEZER PEMBERTON, SR. (*Old South*)
Inv., January 7, 1702/3, for January 18, 1702/3; April 29, 1709;[4] inv., May 6, 1712, for May 14, 1712; inv., February 22, 1713/14, for March 8, 1713/14; inv., April 24, 1716, for May 8, 1716

EBENEZER PEMBERTON, JR. (*New Brick*)
March 10, 1755; May 16, 1758; May 11, 1762; June 6, 1764;[5] May 6, 1766; June 6, 1770; March 8, 1773

THOMAS PRINCE (*Old South*)
October 7, 1726; May 6, 1729; May 31, 1731; April 5, 1737; March 12, 1743/44; March 12, 1749/50; May 10, 1757

[1] The selectmen voted, March 5, 1772, to invite John Lathrop.

[2] 5 *Col. Mass. Hist. Soc.*, V. 474.

[3] *Id.*, VI. 275.

[4] *Id.*, p. 254.

[5] The selectmen voted, June 1, 1764, to invite Samuel Checkley, Jr.

Joseph Sewall (*Old South*)
Inv., February 21, 1714/15, for March 14, 1714/15; inv., June 5, 1716, for June 12, 1716; June 7, 1726; September 30, 1728; May 5, 1731; March 14, 1736/37; March 8, 1741/42; September 13, 1742; August 5, 1743; September 22, 1746; March 13, 1748/49; March 12, 1753; March 14, 1757; March 9, 1761; February 20, 1764; May 14, 1765

Peter Thacher (*New North*)
May 3, 1726; May 14, 1728; March 13, 1731/32; April 28, 1736

Benjamin Wadsworth (*First Church*)
Inv., May 8, 1702, for May 12, 1702; May 9, 1711;[1] May 5, 1725

John Webb (*New North*)
March 13, 1726/27; September 14, 1731; May 3, 1737; May 11, 1742; March 25, 1745

William Welsteed (*New Brick*)
March 29, 1728; May 10, 1732; March 12, 1738/39; May 4, 1744; March 11, 1750/51

It will be noted that all the ministers who were invited, and all who opened the town meetings with prayer were Congregationalists. On one occasion only did the town even remotely risk listening to a minister who was not of this denomination. Providence willed otherwise, however. At the meeting of May 13, 1774, it was "Voted, That this Meeting be opened with Prayer, & that the following Gentlemen . . . be a Comittee to wait upon Dr Cooper to acquaint him that it is the Desire of the Town, that he would open this Meeting with Prayer; & in Case he should not be readily found, that they then invite Dr Chauncy, or any other Minister they shall think proper to perform that Service." Although he had "just returned fatigued from a Journey . . . Prayer was made by the rev^{d} Dr Cooper agreeable to the Request of the Town." The tradition remained unbroken until March 7, 1786, when the selectmen voted to invite Samuel Stillman, pastor of the First Baptist Church, to pray at the meeting of March 13, 1786.[2]

This is an interesting vestige of an orthodoxy which had long since broken down. In March 1724/25, Boston had one Baptist church, two Episcopalian churches, one French Protestant church, and a Friends

[1] *Id.*, p. 309.

[2] The selectmen voted, March 24, 1786, to invite Samuel Stillman to offer a prayer at the meeting of April 1, 1786. The records do not indicate whether he accepted the invitation.

From 1638 until 1770, the ministers who preached the election sermons of the Ancient and Honorable Artillery Company were Congregationalists. This tradition was broken in 1770 by Samuel Stillman.

meeting-house, in addition to the Congregational churches. The Presbyterian Church was established in 1730; Trinity Church (the third Episcopalian), in 1734;[1] and the Second Baptist Church, in 1743.

The Editor, on behalf of Mr. FULMER MOOD, presented by title the following note:

Bartholomew Gosnold
and Gosnold's Bay in Virginia

IT is well known that scattered about the globe are many place names which record the names of Elizabethan merchants, nobles, and navigators who took part directly or vicariously in the work of expansion: Hakluyt Foreland, Elizabeth Islands, Sanderson's Hope, Davis Strait, Baffin Land, Gilbert and Smith Sounds, Hudson River, Hudson's Touches. The navigator working his way along some distant coast remembered his financial backer in London, and, when he came upon a striking natural feature worthy of being singled out for flattering mention, would ultimately affix his patron's name to it. Bartholomew Gosnold, whose exploration of the New England coast in the summer of 1602 needs no comment, was not unmindful of this current practice. In the course of his voyage he did honor to several of his contemporaries. Martha's Vineyard and the Elizabeth Islands owe their names to him. Nor did the commander forget himself, as is evidenced by Gosnold's Island at the mouth of Buzzard's Bay. These, and the name Cape Cod, also conferred by Gosnold, have lasted till the present. Others of his naming have, however, faded from the maps: Tucker's Terror, Point Gilbert,[2] and Dover Cliffs.

Gosnold's reputation is so bound up with the history of New England that it may come as a surprise to learn that, for a time at least, his name was also attached to a feature on the Virginia coast, Gosnold's Bay. But this toponym on the Chesapeake proved to be less permanent than that of the island in New England waters called by his name. Once, therefore, has cartography served Gosnold poorly. The graceless mapmakers have done him less than justice, and this is unfortunate, for he played a good rôle in the foundation of Jamestown, acted as a worthy, esteemed councillor for

[1] Samuel Parker, rector of Trinity Church, offered the prayer at the meeting of April 7, 1788, being the first of his denomination to do so. He was also the first Episcopalian to preach an election sermon (1791).

[2] Tucker and Gilbert were two of his shipmates.

the infant colony, and commended himself to his fellow-colonists so well by reason of his gifts of leadership, that the struggling pioneers on this first of English frontiers agreed that they could ill afford to spare him when he grew sick and died.

At the very outset of the history of the settlement, Gosnold gave proof of his sound judgment and of his respect for the carefully weighed conclusions of the London Company's leaders at home. When the fleet bearing the earliest colonists entered the Chesapeake—he was in command of the *God Speed* and vice-admiral of the expedition—counsel was taken by the principal men as to the site of the projected fort and town. The Company's instructions were precise: they were to select a site which would be capable of good defense, and which would be elevated enough and sufficiently watered to insure good sanitation. Though Edward-Maria Wingfield, now president of the Council, threw his weight in favor of what came later to be Jamestown, Gosnold opposed him.[1] Wingfield had his way, and a few months later, when the fever season came on, Gosnold was one of those who paid in full for the president's unwisdom. George Percy relates that when Gosnold was buried, the guns were fired to honor his passing.[2] This tribute from the quarrelsome pioneers attests as eloquently to his worth as do the rank of vice-admiral and the councillor's dignity conferred upon him by the Company at home.[3]

Captain John Smith, who had been brought into contact with Gosnold about 1604 when both were working hard to forward the movement for colonial expansion,[4] enriched still further the record of Gosnold's distinction in his Map of Virginia (1612).[5] The "Gosnolds baye" of this chart is proof that Gosnold's Virginia contemporaries would not willingly let his name disappear from that new land with whose fortunes he had cast in his own. This body of water is a small bight on the Chesapeake between the James and the Pamunkey rivers. Why the navigator's name should have been attached to this bay is probably a mystery that will find no speedy solution. Perhaps, to hazard conjectures, it was that in this locality he possessed a camp, or that here he died that sultry August. Whatever be

[1] *Travels and Works of Captain John Smith*, Edward Arber and A. G. Bradley, editors, I. 6.

[2] "The two and twentieth day of August, there died Captaine *Bartholomew Gosnold*, one of our Councell: he was honourably buried, hauing all the Ordnance in the Fort shot off, with many vollies of small shot." "Observations Gathered out of A Discourse of the Plantation of the Southerne Colonie of Virginia," *id.*, p. lxxi.

[3] Cf., in addition to the quotation from Percy, Wingfield's "A Discourse of Virginia," *id.*, pp. lxxv–lxxvi.

[4] *Id.*, pp. 89–90.

[5] The map is reproduced in *id.*, II, facing p. 384.

the reason for the choice, it is plain that to this inconsiderable distinction Gosnold had the best of titles, not only because of his sound leadership and his good repute among the colonists, but also because of his critical services as an explorer and an advocate of English expansion.[1]

The Editor presented by title the following note by Mr. HOWARD M. CHAPIN:

Colonial Military Flags

IN two recent articles[2] I discussed the flags of the military companies of colonial New England and pointed out that those in use by the militia of seventeenth-century New England were designed and used in accordance with the English military practice under Charles I and Cromwell.

The flags carried by military companies in Cromwell's time were called "colours." From the point of view of flags, the regiment was the unit, although in fact the regiment as such had no colors. Those carried by the first company, which was in those days commanded by the colonel, might, however, be considered as regimental colors, for the color of the field of the first company's flag (and its device if any) served as the motive or basis for the design of the flags or colors of the other companies in the regiment. If, for instance, the first company's flag (or colonel's flag, as it was also called) was red, the flags of all the other companies in that regiment had red fields; if the colonel's flag was blue, the other companies' flags would have blue fields. Similarly, the device, if any, on the field of the colonel's flag was carried over into the flags of the other companies.

The flags of the different companies—second (lieutenant-colonel's), third (major's), fourth (first captain's), fifth (second captain's), and so on—were differentiated according to a well-regulated system: in the lieutenant-colonel's flag was added a canton with the cross in it; the major's flag was like the lieutenant-colonel's with the addition of a flame; the first cap-

[1] "Captaine *Bartholomew Gosnold*, the first mover of this plantation, hauing many yeares solicited many of his friends, but found small assistants; at last prevailed with some Gentlemen, as Maister *Edward maria Wingfield*, Captaine *Iohn Smith*, and diverse others, who depended a yeare vpon his proiects, but nothing could be effected, till by their great charge and industrie it came to be apprehended by certaine of the Nobilitie, Gentrie, and Marchants, so that his Maiestie by his letters patent, gaue commission for establishing Councels, to direct here, and to governe and to execute there." Thomas Studley, "The Proceedings of the English Colony in Virginia." Arber and Bradley, *John Smith*, I. 89–90.

[2] *New England Quarterly*, IV. 448–459; *Old-Time New England*, XXIV. 135–141.

tain's had a ball instead of the flame; the second captain's had two balls, and so on (except that when the colonel's flag bore a device, the balls on the captains' flags were usually replaced by the device repeated to the requisite number).

The regiments were often designated by the color of the field in the flag: the "red" regiment, the "blue" regiment, or the "white" regiment. Although this usage was discontinued in the English army upon its reorganization in 1661, it was retained by the "guards" in England and by the militia in New England.

Mr. Francis B. Culver, in his *The Maryland State Flag and Colonial County Colors* (Baltimore, 1934, p. 29), shows that this usage of Cromwell's time was retained in Maryland as late as 1694. He writes:

> In October, 1694, *colors* were assigned to Horse, Foot and Dragoons in the several counties of Maryland as follows: St. Mary's, *red;* Kent, *blue;* Anne Arundel, *white;* Calvert, *yellow;* Charles, *orange;* Baltimore, *green;* Talbot, *purple;* Somerset, the *Union* or *Jack Flag;* Dorchester, *buff;* Cecil, *crimson* (*Md. Arch.*, xx. 154). In August, 1695, to Prince George's County, the *St. George's Cross*, "a red cross in a white field," was assigned (*id.*, 281).

It has been suggested that these "colors" may have been merely cockades, rosettes, arm-bands, ribbons, or similar decorative paraphernalia; but the fact that to Somerset County (because it was then "the only marine county") the Union or Jack Flag was assigned, appears to justify the opinion that the term "colors" here applies to "flags." Thus, to each of the counties of Maryland, eleven in number prior to the year 1706, there was assigned a separate and distinguishing county flag under the régime of the royal governors.

These flags were not *county territorial flags*, but *county regimental "colors,"* as military flags were then called, and were designed and doubtless used in accordance with the practice of Cromwell's time, as recorded and described by Venn and by Milne. These colors doubtless served as the flag of the colonel's company and as the basis for the company flags in these various Maryland regiments.

April Meeting, 1935

A STATED MEETING of the Society was held, at the invitation of Mr. KENNETH G. T. WEBSTER, at Gerry's Landing, Cambridge, on Thursday, April 25, at eight o'clock in the evening, the President, SAMUEL ELIOT MORISON, in the chair.

The records of the last Stated Meeting were read and approved.

The Corresponding Secretary announced the death of FRANK BREWER BEMIS, a Resident Member, on March 10, 1935, and of the Hon. OLIVER WENDELL HOLMES, an Honorary Member, on March 6, 1935.

The Corresponding Secretary reported that a letter had been received from Mr. FRANK WILSON CHENEY HERSEY accepting Resident Membership in the Society.

Mr. LAWRENCE COUNSELMAN WROTH, of Providence, Rhode Island, was elected a Corresponding Member, and Mr. ZOLTÁN HARASZTI, of Boston, was elected an Associate Member of the Society.

The President appointed the following committees in anticipation of the Annual Meeting in November:

To nominate candidates for the several offices,—Dr. JAMES LINCOLN HUNTINGTON, Dr. HAROLD BOWDITCH, and PERRY MILLER.

To examine the Treasurer's accounts,—MATT BUSHNELL JONES, HENRY LEE SHATTUCK, and RAYMOND WALKER STANLEY.

Mr. ARTHUR H. BUFFINTON read the following paper:

The Massachusetts Experiment of 1630

AMONG the widely different opinions held concerning the Puritan settlers of New England, perhaps the only one on which there is general agreement is that they cannot be ignored. They had an abiding influence on American character and institutions, but whether that influence was for good or for evil has been a matter of much controversy. Earlier generations praised them as exiles for conscience sake, as pioneers of liberty and democracy. Of late they have been more often

described as hypocritical religionists, as authors of an inhuman moral code which they imposed upon all within their reach, as rebels against authority who tyrannized over others.

It was this latter viewpoint which predominated five years ago when the tercentenary of the founding of Massachusetts was celebrated. During the preceding decade Mr. Mencken and his disciples had filled the magazines with gibes and taunts and tirades against Puritanism and everything connected with it. Many who felt that Mr. Mencken's views were too prejudiced were impressed by the criticisms of Mr. James Truslow Adams, whose *Founding of New England* appeared at the beginning of the decade. Mr. Adams, it will be recalled, was willing to concede some merit to the settlers of Rhode Island and Connecticut, but the settlers of Massachusetts he pictured as men who did not believe in democracy, who ruthlessly disregarded the rights of minorities, and who dealt with the natives in anything but that spirit of trusteeship enjoined upon mandatory powers by the Covenant of the League of Nations. As for the Puritans being exiles for conscience sake, such an explanation could not stand the cynical scrutiny of a generation which sniffed the economic motive on every tainted breeze.

Those who in 1930 undertook to counter the blasts of Mr. Mencken and to neutralize the acid criticisms of Mr. Adams found themselves confronted with an almost impossible task. The public for which they were writing had already given an adverse verdict. Their utmost efforts, to quote the president of this Society, "left the American public completely cold."[1]

But times have changed since 1930, and the present situation of affairs offers an opportunity to place the settlement of New England in a new light. The year 1935 finds the American people in the midst of a great social and political experiment. Nor is this situation peculiar to the United States, for our contemporary world abounds in experiments, which for number and variety cannot be matched in any other period of the world's history.

For such an age the Massachusetts experiment of three centuries ago takes on a new significance, for it was one of the first of its kind in human history. Here, under unusually favorable conditions, the founders of this Commonwealth were able to put their ideas into practice, and to establish a new political and social order which differed in many respects from the characteristic political and social systems of Europe.

This view of the significance of the settlement of New England was suggested, perhaps for the first time, by Alexis de Tocqueville just a cen-

[1] *Forum*, LXXXV. 142.

tury ago. In his celebrated *Democracy in America* De Tocqueville described the settlers of New England as "daring innovators." "Political principles and all human laws and institutions," he says, "were moulded and altered at their pleasure; the barriers of the society in which they were born were broken down before them; the old principles which had governed the world for ages were no more; a path without a term and a field without a horizon were opened to the exploring and ardent curiosity of man."[1]

To interpret the Massachusetts experiment in terms intelligible to the twentieth century is, however, not an easy task. The questions which concern us are the future of capitalism and democracy. In 1630, capitalism was in its infancy, and democracy, even as a theory of government, commanded the assent of only the most radical. We commonly think of experiments as forward-looking, as an attempt to put new social theories into action. The Massachusetts experiment was, in its origins, backward-looking. The political and social philosophy of the founders was Biblical and medieval. The system which they established in Massachusetts was consciously modelled on the Hebrew commonwealth and upon the Christian church-state of the Middle Ages. We expect Utopia to come from economic measures; they, in common with most of their generation, looked to religion for social regeneration.

By applying certain tests, however, it becomes possible to establish a basis for comparison between this experiment of the seventeenth century and the experiments of our own time. One such test which may be applied is that of the method employed in making the experiment. Judged by this test our modern experiments fall into two groups: those which have been carried out by revolutionary means, and those which strive to effect the necessary changes by existing constitutional methods.

The Massachusetts experiment belongs in the class of revolutionary movements, and only as such can it be understood. The fact that this was no ordinary migration of a body of Englishmen to the New World has been recognized by some of the most eminent students of the colonial period. "The settlement of New England," wrote George Louis Beer, "was not the result of a normal expansion of the state, but was rather of the nature of a schism therein or of a secession therefrom."[2] And in his latest book Professor Andrews has asserted that Massachusetts Bay was "no ordinary offshoot of English colonization. It formed an exception to every known condition governing England's expansion beyond the seas, for it was called into being for divine not human ends."[3]

[1] I. 28 (1904 ed.). [2] *British Colonial Policy*, 1754–1765, p. 161.
[3] *The Colonial Period of American History*, I. 437.

Winthrop and his friends who took control of the Massachusetts Bay Company in the summer of 1629 evidently intended to establish in New England a new community which should have as little connection as possible with that which they were leaving. Hence it was that they took the charter with them, that they established an independent church, and that as long as the first charter stood they and their successors consistently sought to interpret it as entailing a minimum of subordination to the government of England. English observers who described them as considering Massachusetts a free commonwealth were not far wrong.

If further evidence of the revolutionary character of the movement be necessary, it may be found in the characteristic signs of revolutionary psychology. Thus these Puritans had what has sometimes been called the persecution complex. Not long ago, at a meeting of the Massachusetts Historical Society, there was a discussion as to whether the Puritans were really persecuted.[1] Whether they were or were not persecuted may be a matter of debate, but it cannot be successfully denied, I think, that they believed that they were persecuted.

Another sign of the revolutionary temper of the Massachusetts settlers is their sense of being a chosen people and of having a divine mission. This idea is so prevalent in all their writings and is so familiar to us all that quotations are scarcely necessary. It animated leaders like Winthrop; it forms the theme of Captain Edward Johnson's *Wonder-Working Providence of Sions Saviour in New England;* it became the accepted version of the beginnings of the colony embodied for later generations of New Englanders in Cotton Mather's *Magnalia Christi Americana.*

This fact of the revolutionary character of the Massachusetts experiment will for many Americans constitute something of a barrier to a sympathetic understanding of it. Despite the fact that the United States owes its existence as an independent nation to a revolution and that the right of revolution was long regarded by Americans as inalienable, the tradition has grown up among us that Americans are able to effect the necessary political and social changes by non-revolutionary methods.

Such was the picture of American political and social development presented a century ago by De Tocqueville. In America, he said, the social revolution had been effected "with ease and quietness." America was "reaping the fruits of a democratic revolution without having had the revolution itself." America was "the only country in which it has been possible to witness the natural and tranquil growth of society."[2]

[1] Charles E. Banks, "Religious 'Persecution' as a Factor in Emigration to New England, 1630–1640," *Proc. Mass. Hist. Soc.*, LXIII. 136–154.

[2] *Democracy in America* (1898 ed.), I. 15, 32.

Nevertheless, as the history of our own American Revolution shows, it has not always been possible even for Americans to effect desirable changes "with ease and quietness," nor is it possible, once the revolutionary process has begun, to foresee where it will ultimately lead. Once the revolution has been launched, those who are its leaders will inevitably employ whatever means may seem necessary to insure success. It is this general law of revolutions which goes far to explain the treatment accorded by the Massachusetts Bay Colony to political and religious dissenters. Having come to America to carry out a holy experiment, they did not propose to sit idly by and see others endanger its success. Does history record a group of men, whatever their professed creed, who were willing to do otherwise?

What shocks the modern conscience about Puritan intolerance is that it was directed against religious beliefs. In colonial Massachusetts, however, this was necessarily the case. Religion was the motive force of the experiment; it was religion which gave it both form and sanction. If in our time economic opinions are the object of intolerance, that is the result of the fact that we look to economic measures for a solution of our problems.

Moreover, we twentieth-century Americans are so accustomed to regard religion as a purely private and personal matter that we often forget that it may have political and social implications. Such it surely had in the seventeenth century. Roger Williams challenged the validity of the charter, which formed the legal basis of the colony, and preached the separation of Church and State. Anne Hutchinson's claim to inner illumination and the right of individual interpretation of the Scriptures might well have led not only to moral license but to a questioning of any kind of authority. The similar views of the early Quakers did lead them to take an attitude of defiance towards all constituted authorities. The dangerous character of the Antinomian movement was visibly manifest when it led to serious internal dissension at a time when the very existence of the colony was threatened by Laud and Gorges.

Of the later victims of Massachusetts intolerance the Baptists were associated in the popular mind with the excesses of John of Leyden, and they were also accused of denying the lawfulness of magistrates and of war. As for the Quakers, they were in popular estimation anarchists, an impression which the extraordinary behavior of some of them and their generally defiant attitude towards authority did nothing to remove. Even so liberal a man as Roger Williams could not stomach the Quakers, and the Rhode Island magistrates described their doctrines as tending to the "very absolute cutting downe and overturninge relations and civill government among men."[1] The Baptists and Quakers of this period belonged to

[1] Quoted by Herbert L. Osgood, *The American Colonies in the Seventeenth Century*, I. 276.

what we should call today the lunatic fringe, and their adherents cherished all kinds of subversive political and social ideas.

I do not wish to be understood as defending intolerance. Once we recognize, however, that the founders of Massachusetts were carrying on a revolutionary experiment, I think we can understand better why they treated dissenters as they did. Toleration of dissent in Church and State is a mark either of indifference or of security, and the Massachusetts leaders were not indifferent; neither did they feel secure. The expulsion of Roger Williams and the Antinomians came at a time when the colony was being attacked by its enemies in England. The banishment of the Baptists was decreed when the Civil War in England, troubles with the Indians and the French, and serious disputes within the colony itself created a special sense of insecurity. As for the Quakers, from the Puritan viewpoint they were without the pale and would probably not have been voluntarily tolerated under any circumstances.

When one turns from the form of the Massachusetts experiment to consider its substance, a description of it in terms intelligible to the twentieth century is more difficult. Every politico-social experiment involves a consideration of the related problems of the kind of social order which it is desired to establish, and of the kind of government which will best conduce to that end. With our modern experimenters the social and economic system is the primary objective, and governmental institutions are regarded more as means than as ends in themselves.

The attitude of the seventeenth century towards these two related problems was very different. In a pre-industrial age the idea of any drastic reordering of society was beyond the imagination of all but the most visionary. The social structure was regarded as relatively static, and the chief object of contemporary statesmen was to use existing social arrangements to strengthen the state rather than to create a new social order.

Such was the case in France where Richelieu and his successors brought all classes under the control of the monarchy, and in Prussia where the Hohenzollerns built a new state by similar processes. Even in England where the revolutions of the seventeenth century have sometimes been described as marking the triumph of the middle class over the nobility, the social changes produced by the Puritan revolution were less marked than those produced by the spoliation of the Church in the preceding century. The object of the prevailing mercantile system was to strengthen the state, not to redistribute wealth or to modify the existing social structure. The social revolution in Europe which De Tocqueville in 1835 described as being in its earlier stages was the result of the Industrial Revolution and

the French Revolution, not of the seventeenth-century experiments in state-building.

The Massachusetts Puritans were not in advance of their generation in their attitude towards social arrangements. That they came to America partly because it promised them a freer opportunity to make a comfortable living, they frankly admitted; but they did not come here to build an ideal society. They were not utopians or visionaries. They accepted without question the idea of private property and of a society in which there were distinctions of class and wealth. Their social philosophy was thus markedly different from that of some of our modern experimenters. It may perhaps best be defined as a kind of seventeenth-century Christian socialism. As in so many other respects, their theories stemmed back through Calvin to the medieval Schoolmen. Their ideal was the medieval Christian one of a society composed of mutually interdependent individuals, each occupying the place to which God had assigned him, each having duties as well as rights, and the whole functioning in accordance with the will of God. To them, society was not a mechanism which could be altered by changing the structure, but a living organism, the life-giving principle of which was religion.

Theory is one thing, however, and practice another. As regards Puritan practice there is very little difference of opinion among those who have made a study of the question. "The spirit of the Puritan colonies," writes Professor Clive Day, "was on the whole rather socialistic than capitalistic."[1] The testimony of Professor Tawney regarding Calvinism in general is similar. "The social ethics of the heroic age of Calvinism," he says, "savored more of a collectivist dictatorship than of individualism."[2] The individual was encouraged to labor, to be thrifty, to accumulate wealth, but such wealth as he might gain he held as the steward of God's bounty, and the interests of the community were to take precedence over those of the individual. As John Winthrop put it: "The care of the publique must oversway all private respects."[3]

The results, however, were not what the founders planned. The influence of the frontier and the coming of commercial prosperity made Massachusetts an individualistic and capitalistic community rather than a Christian socialist commonwealth. Among the founders themselves were not a few who were unable to restrain their acquisitive instincts, and the in-

[1] "Capitalistic and Socialistic Tendencies in the Puritan Colonies," *Annual Report of the American Historical Association*, 1920, p. 235.

[2] *Religion and Capitalism in the Seventeenth Century*, p. 113.

[3] Quoted by E. A. J. Johnson, "The Economic Ideas of John Winthrop," *New England Quarterly*, III. 248.

creasing prosperity of the colony attracted to its shores a growing number who came for no other reason than the hope of gain. The forebodings of Captain Edward Johnson were justified in the event, and "the men of trade in hope of gain" did "mar the work of Christ intended."[1]

Even more potent in producing a new type of society in Massachusetts were the system of landholding and the law of inheritance. The vast importance of these factors in determining the structure of society was pointed out more than a century ago by Daniel Webster when he asserted, in his celebrated Plymouth oration, that the character of the political institutions of New England "was determined by the fundamental laws respecting property. . . . The consequence . . . has been, a great subdivision of the soil, and a great equality of condition; the true basis, most certainly, of a popular government."[2]

I can find no evidence that in discarding feudal forms of land tenure and in adopting a rule of inheritance which made for the equal distribution of property the settlers of Massachusetts were conscious of the far-reaching effects which these arrangements would have upon the society of their commonwealth. So far as the evidence goes, their action was based on preference and on a feeling that such arrangements were just and equitable. The results, however, are written large in the subsequent history of New England and of the United States.[3]

In his presidential address to the American Historical Association in December, 1934, Dr. Dodd described the plantation system which developed in Virginia after the Restoration as "the first social order in the United States."[4] By what warrant he used the word "first" in this connection I am unable to discover. Long before 1660 New England had developed its distinctive form of society, which in its commercial aspects, its wide distribution of property, and its absence of those feudal rules of inheritance so characteristic of Europe was far more typically American, and more typical, it may be added, of modern society in general, than was the plantation system of the pre-Revolutionary South.

In common with their contemporaries, the founders of Massachusetts were more concerned about their political system than about social arrangements. Their object, as Winthrop said, was to establish "a due forme of Government both ciuill and ecclesiasticall."[5] Many of our modern ex-

[1] *Wonder-Working Providence*, J. Franklin Jameson, editor, p. 35.

[2] *Writings and Speeches of Daniel Webster* (1903 ed.), I. 211–212. See De Tocqueville's comment on this, *Democracy in America* (1898 ed.), pp. 59–60.

[3] For a recent discussion, see Robert B. Morris, *Studies in the History of American Law*, pp. 69 ff.

[4] *American Historical Review*, XL. 217–231.

[5] 3 *Coll. Mass. Hist. Soc.*, VII. 45.

periments, whatever the kind of society they may aim to establish, have found it necessary to set up a highly authoritative government, a dictatorship either of a class or of a political party. This is done, not merely as a matter of necessity, but also in accordance with the political theories governing these experiments. Democracy is repudiated in theory as well as in practice; the ideal form of state is the totalitarian state.

At first sight there seems to be a considerable resemblance between the government of Massachusetts and some of our contemporary dictatorships. The founders of Massachusetts also rejected democracy, and the government which they established might perhaps be described as a dictatorship of the church-members, in whom alone resided political authority.

But when one examines Puritan political theory, one finds that it has little in common with the antidemocratic political theories on which modern dictatorships are based. These latter are more akin to the theory of Divine Right which was being preached in England by the Stuart kings and their High Church supporters, and which was the basis of the continental absolutisms of the seventeenth and eighteenth centuries. Under these governments the individual ceased to have political rights, and even a great international organization like the Church of Rome, with its age-old tradition of resistance to secular authority, was unable to escape the all-absorbing power of the state.

With such political ideas the settlers of Massachusetts had no sympathy. It was to escape a government which was attempting to put these ideas into practice that they left England. Their political philosophy was that of the Middle Ages, as reinterpreted by Calvin and his disciples. Concerning the character of medieval and Calvinistic political ideas, there can be no doubt. Both asserted the principle of a fundamental higher law which in the last analysis was identical with the Law of God. Both taught that the community itself was the ultimate source of political authority, and that government was contractual in character. To these ideas Calvinism added that of the right of resistance. Kings and magistrates were to be obeyed only in the Lord; they were responsible both to God and to men.[1]

Here surely was no basis for an absolute government or a totalitarian state, and the Massachusetts experiment shows a recognition of this fact. It is true that the government of Massachusetts was based, not on a compact, as was that of Plymouth, but on a royal charter. That charter, however, did not establish an absolute government, for the final authority

[1] See H. L. Osgood, "The Political Ideas of the Puritans," *Political Science Quarterly*, VI. 1–28, 201–231; H. D. Foster, "The Political Theories of Calvinists before the Puritan Exodus to America," *American Historical Review*, XXI. 481–503; and A. J. Carlyle, "The Sources of Mediaeval Political Theory and its Connection with Mediaeval Politics," *id.*, XIX. 1–12.

rested with the freemen. In his elaborate defence of the government of Massachusetts, Winthrop described an arbitrary government as one "where a people have men sett ouer them, without their choyce, or allowance: who haue power to governe them, & Judge their Causes without a Rule." The government of Massachusetts, Winthrop argued, was not arbitrary because the people had liberty to choose their governors and to "require the Rule by which they shalbe governed & Judged."[1]

No doubt the ideal form of government for Massachusetts in the eyes of Winthrop and his more conservative fellow-leaders was one in which the supreme authority was the Law of God as interpreted by magistrates and clergy. They believed in an aristocracy, a government of the best. This they regarded as necessary for the success of their experiment. But the majority of the settlers and not a few among the leaders refused to accept this ideal, and the principle of self-government was continually enlarged. The freemen insisted upon their right to choose the magistrates, and refused several times to elect Winthrop as governor. The deputies made good their right to an equal voice in the government with the magistrates, and even refused the latter that discretion in the enforcement of the law for which Winthrop argued. Furthermore, they insisted on having a written code of law to which they assented so that all might know precisely what the law was. This code, or Body of Liberties, was both a legal code and a bill of rights. The preamble of it reads as follows: "We hould it therefore our dutie and safetie . . . to collect and expresse all such freedomes as for present we foresee may concerne us, and our posteritie after us, And to ratify them with our sollemne consent."[2]

The Massachusetts system had other democratic features which made the development of an arbitrary government impossible. Not only was society democratically organized—a fact which was recognized by granting non-freemen a share in the local town governments—but the Massachusetts churches were formed by compact and had a democratic organization.

One sees indeed that here was no arbitrary government, but that "mixture of aristocracy and democracy" which was the Calvinist ideal. "The leaders of Massachusetts," says Professor Osgood, "for the sake of their religion, established and defended an aristocratic system of government in church and state, but the substratum of their thought was democratic."[3] It was doubtless this democratic substratum of their political theory, as well as the democratizing influence of their frontier environment and of the social system which they established, which made it impossible for

[1] Robert C. Winthrop, *Life and Letters of John Winthrop*, II. 440.

[2] William MacDonald, *Select Charters Illustrative of American History*, p. 73.

[3] *Political Science Quarterly*, VI. 21.

these leaders to resist the growth of a more democratic system of government. Rejecting arbitrary government in theory, they could not insist upon it in practice, even though to some of them it appeared that their concessions to democracy were endangering the success of their experiment.

Finally, we may test the Massachusetts experiment by its attitude towards other states and other forms of society. Modern experiments have shown a marked tendency to extend their particular system either by propaganda or by force, or by a combination of both. The leaders and defenders of these experiments have argued that their particular system is of universal validity and that, if generally adopted, it would produce something approaching the millennium.

I have no doubt that the founders of Massachusetts also were convinced that their particular system was the best possible, and that they desired to see it extended. In its earlier days the colony did show a marked tendency to extend its influence and authority beyond its charter limits. But the very nature of their system and fundamental principles precluded any indefinite expansion. Unlike the medieval church-state or the Hebrew commonwealth, which were its models, the Massachusetts system was not inclusive. Church-membership, which was the passport to political power, depended upon the manifestation of outward signs of a probable election, and election was a matter determined not by men but by God. The number of the elect could not be increased either by skilful propaganda or by forcible conversion. Whether the Almighty would see fit to bring to the light the benighted people of Rhode Island and New York was something which He only could decide.

In one further respect Puritan principles formed a barrier to the indefinite extension of the power of Massachusetts, and that was the Puritan attitude towards war. This is a subject which I have already considered in a paper read before this Society.[1] It will suffice to point out here that the Puritans distinguished between lawful and unlawful wars, and that among the latter they included wars of aggression and wars of policy. War, like all other human institutions, must conform to the Law of God. This is a far cry from the theory and practice of seventeenth-century absolutisms, and from that glorification of force which is characteristic of some of our modern dictatorships. The Puritan commonwealth of Massachusetts does not belong in the category of those governments which acknowledge no limitations on their right to impose their will upon other states.

Few experiments work out as originally planned, and to this general rule the Massachusetts experiment was no exception. The ideal of a Christian socialist church-state could not be realized when the medieval

[1] Our *Publications*, XXVIII. 67–86.

world from which it was drawn had already passed away. Judged by the ideals which those who conducted it professed, therefore, the experiment was a failure.

But to pronounce it a failure would be to miss much of its significance. Half unwittingly, the founders of Massachusetts made a notable contribution to the development of free government and of a democratic society. With its active commercial life, its freedom of economic opportunity, its wide distribution of property, and its government in which political power also was widely distributed, Massachusetts became a kind of prophecy of what the future United States, indeed the modern free state, was to be.

The foundations of a democratic society had been laid at the very beginning of the colony. The change from the aristocratic system of the founders to a more democratic form of government began long before the loss of the first charter, and, as I have suggested, was not contrary to the fundamental principles of the Puritan political creed. Even the clergy, as a recent writer has shown, did not consider the government provided for by the second charter to be a violent break with the colony's past.[1]

Under the second charter the political development of Massachusetts continued along lines already marked out, and in the later controversy with England Massachusetts played a leading part. It was John Adams who said, long after the Revolution, that if Fourth of July orators wished to understand the principles and feelings which produced the Revolution they should study Dr. Mayhew's sermon on passive obedience and nonresistance.[2]

By 1775, the political philosophy of the Puritans, liberalized and extended by eighteenth-century thinkers, pervaded liberal circles throughout Europe and America. In one respect, however, New England remained unique and continued to bear witness to the influence of its founders: its insistence that all things should be tested by what Henry Adams called "a priori moral principles." It was this which distinguished the political thought of the first two Massachusetts presidents from that of their contemporaries. Others might regard forms of government and social arrangements as matters of expediency to be determined by economic or class interests, but the genuine New Englander continued to insist that government and society had a moral aspect and should take forms which were in accordance with the moral law. A recent writer has said of the first Adams that his political philosophy was "based on a conception of justice, and not merely of expediency and of property rights," and of the younger

[1] Clifford K. Shipton, "A Plea for Puritanism," *American Historical Review*, XL. 460–467.

[2] Claude H. Van Tyne, *Causes of the War of Independence*, p. 358.

Adams that he "erected the dictum of the ethical absolute as final law."[1]

How to establish a government or a society in which justice and the moral law, not tradition or expediency, shall be the determining factors is a problem which has defied solution. The Puritan's ideal of a Christian socialist state remains an unrealized Utopia. It is glory enough for the founders of Massachusetts that they established here a body politic in the structure of which there was "little that was either feudal, ecclesiastical, or monarchical."[2] It is glory enough that they brought into being a type of democratic society which came to be recognized as the norm towards which, as De Tocqueville predicted, all modern societies have, until recently, tended to develop.

Mr. SAMUEL ELIOT MORISON read a paper entitled:

The Reverend Seaborn Cotton's Commonplace Book

THE New England Historic Genealogical Society possesses a manuscript commonplace book that belonged to the Reverend Seaborn Cotton (1633–1686) of Hampton, New Hampshire, to his son and successor, the Reverend John Cotton (1658–1710), and to the latter's son-in-law and successor, the Reverend Nathaniel Gookin (1687–1734). The book measures 2¾ by 4¾ inches and is bound in calf, probably the original binding in which it was imported from England. Inside the front cover is written, in Seaborn's hand, "29 of April," and below, "Cherry June 15. & possibly pye," a note more likely to have been made at the Hampton parsonage than at Harvard College commons. The back cover had disappeared before the book was given to its present owner in 1882 by Dr. John S. H. Fogg, of an old Hampton family. Dr. Fogg communicated some of the genealogical data to the *New England Historical and Genealogical Register* in 1879 and 1880;[3] Joseph Dow's *History of Hampton* refers to it as a "book of records"; but our associate Dr. C. K. Shipton was the first to notice the literary *flores* in the volume.[4]

[1] Herbert Agar, *The People's Choice*, pp. 34, 93.

[2] C. M. Andrews, *The Colonial Period*, p. 67.

[3] XXXIII. 34–35; XXXIV. 310–311. Mr. Henry Williams (*id.*, XLIX. 182) corrected from it a mistake made by Savage and Sibley. Mr. Williams calls the book a "Journal or Church Record."

[4] Several of these have already been printed in my *Harvard College in the Seventeenth Century* (I. 126–127) and in my *Puritan Pronaos*, pp. 47–49, 51.

Seaborn Cotton, the eldest son of the Reverend John Cotton of both Bostons, owes his name (which appears in the old Harvard Triennials as *Marigena Cottonus*) to his birth at sea on the *Griffin*, August 12, 1633. He entered Harvard at the age of fifteen and graduated second in the Class of 1651, of which Michael Wigglesworth became head after the withdrawal of Samuel Malbone. The College Steward's accounts[1] show that Seaborn gave up his corner study in the lower east chamber just before his bachelor's Commencement, and engaged the west study in the corner of the long chamber, which had just been vacated by Jonathan Mitchell, the senior fellow. Apparently he remained in residence about two years, since, upon taking his master's degree in 1654, he was charged 18*s* 4½*d* discontinuance for "3 quarters and 9 weekes of a forth." After preaching in various places, he was settled in 1657 or 1658 as minister of Hampton. At this farming and fishing town, then in the Massachusetts Bay jurisdiction, but allotted to the Province of New Hampshire in 1677, Seaborn Cotton remained until his death on April 19, 1686.[2]

The chronology and handwritings in the commonplace book which he kept offer considerable difficulty. Seaborn Cotton's own hand, here designated as A, is easily identified by his signature in several places. I have called his earlier, middle-aged, and old-aged handwritings A, A′, and A″. They overlap one another to some extent; but, in general, A is the hand of his undergraduate and bachelor days; A′ is the hand of the Parson of Hampton until about 1670; and A″ is the hand of his old age. It seems that Seaborn began the book in college, using pages both in front and in back for copying his favorite songs, ballads, and prose extracts, often leaving blank pages between these extracts.[3] Later, as minister, he used the book, the larger part of which was still blank, for church and family records, and even a horse deal.

The handwriting of certain *flores* suggests that they were written long after Seaborn left college, but it is easier to imagine that most of them were chosen by an undergraduate rather than by a settled minister in a Puritan community. The fact that no printed version of the ballads that he copied can be found before 1660 need not alter the attribution of the copies to his undergraduate days since these ballads may well have been sung for years before they were printed, and doubtless older editions of the broad-

[1] Our *Publications*, XXXI. 47–48.

[2] The best accounts of Seaborn Cotton's life and pastorate are in Sibley's *Harvard Graduates*, I. 286–293, and Joseph Dow, *History of Hampton, N. H.*, I. 356–365.

[3] This was a common practice of students in the seventeenth century. In an autobiographical fragment, the Hon. Robert Boyle writes: "Yet did he at idle hours write some few verses, both in French and Latin, and many copies of amorous, merry, and devout ones in English." Thomas Birch, *Robert Boyle* (London, 1744), p. 31.

sheets than those which have survived once existed. But it is difficult to explain why the ballad "The Young-Man's Answer" should have been broken off on page [54], just before a page containing church records of 1698, and have been concluded on the opening page of the book. One is tempted to infer that the church records of 1698 were already entered when the ballad was copied. Yet the ballad is unmistakably in the youngest hand of Seaborn Cotton, and the church records are certainly in the hand of his son John. Moreover, the conclusion of the ballad, on page [1], is in the same hand and in ink of the same color as the beginning of it, on page [54]. I cannot explain why Seaborn should have returned to a blank leaf at the beginning of the book to finish his ballad when a blank leaf lay before him. But who can explain all the vagaries of scribes?

The chief puzzle in the book is the identity of B, as I have designated the strange handwriting that first appears in a ballad on page [145], and which, in an older variant, B′, covers many of the following pages with poetry and astrological data. The only clue is the signature "D.C." to the Melpomene ballad. These are the initials of Seaborn's wife Dorothy, whom he married in 1654. They may, of course, stand for the author of the song rather than the copyist. Mrs. Dorothy (Bradstreet) Cotton was the daughter of Anne Bradstreet the poet, and hence likely to share the literary interests of her mother and her husband. The fact that Seaborn Cotton's record of his horse trade, dated August 6, 1669, in spite of its length, begins on the second half of page [169], suggests that the song "Happy you leaves" on the first half of that page, in handwriting B, was placed there before that date. Mrs. Cotton died in 1672.

Seaborn Cotton bequeathed the book to his son John, whose handwriting I have designated as C. The Reverend John filled up the blank spaces between ballads, and covered some of the pages following his father's vital records with family and church records. After John Cotton's death in 1710, the genealogical data were continued by his son-in-law, the Reverend Nathaniel Gookin (H.C. 1703).

Apart from the vital and church records, only part of which are reprinted here, the book is largely an anthology of prose and poetry of a decidedly secular, not to say pagan, character. Several ballads, such as "The Last Lamentation of the Languishing Squire," "Two Faithful Lovers," and "The Love-Sick Maid; Or, Cordelia's Lamentation for the Absence of her Gerhard," are included; and Cotton's variations from the printed versions suggest that he heard them sung and wrote down the words from memory. Michael Wigglesworth, a classmate of Seaborn, who became a tutor of the college shortly after graduation, complains of one of his pupils

"playing musick" instead of studying Hebrew.[1] In view of Dr. Percy Scholes's recent revelations of the musical propensities of Puritans, it seems not far-fetched to suppose that Cotton and his classmates sang ballads in their chambers in the College Yard while one of them strummed on a guitar or other instrument.

Young Seaborn was especially attracted by Sir Philip Sidney's *Arcadia*, a work not supposed to be favored by Puritans. He copied a part of the dedication to the Countess of Pembroke, sundry epigrams, the beautiful song "What Tongue Can Her Perfections Tell," the ironical "Verses upon Brave Mopsa," and charming descriptions such as that of the "Queene of Love, young Philoclea," before whom "apples fell downe from the trees to doe homage to the apples of her breast."

The most entertaining set of extracts come from George Herbert's compilation of 1640, *Witts Recreations Selected from the Finest Fancies of Moderne Muses*.[2] Seaborn Cotton culled from this collection nineteen epigrams, witty epitaphs, anagrams, and riddles, several of them so free in language as to be unprintable even here; yet he copied none of the bawdier pieces. Both in his hand and in the mysterious handwriting B, there are a number of verses and prose passages as yet unidentified.

Although a few leaves have been removed from the book, it is clear that the Reverend Seaborn Cotton never grew ashamed of his youthful taste in literature; for instead of destroying this record of student days, or removing the profane pages, he kept the book intact, and curiously interspersed his church records among pagan *flores*. For instance, after two pages of verses to "my Dearest Deare" we have legal notes, records of disciplinary cases at Hampton (with names of the culprits disguised in Greek letters), theological notes, and records of church meetings, followed by more poetry. The amusing recipe "for to make a handsome woman" is followed by the minister's record of Goodman Roby's pungent antipaedobaptist remarks: "He said that I might as well have cast ye water upon a beasts face standing by as upon these children." And from the church records of 1696–1699, kept by Cotton's son John, we leap into the *Arcadia*, with which the back of the book (p. [117]) also begins. More appropriately, we find a ballad beginning

> If thou wast fairer, y^{n} thou art,
> which lyeth not in ye power of art,

[1] Morison, *Harvard College in the Seventeenth Century*, I. 115.

[2] I have collated the *facetiae* in Cotton's book with the 1640, 1641, and 1654 editions in the Harvard College Library, and with the cumulative reprint of 1874, entitled *Facetiae, Musarum Deliciae*, etc. Dr. Raymond P. Stearns kindly collated them with the 1645 and 1650 editions in the British Museum. Every one of Cotton's nineteen extracts are

facing the record of Seaborn Cotton's marriage to the young lady of whom her mother, Anne Bradstreet, wrote:

> A prettier bird was no where seen
> Along the beach among the treen.

Records of the first seven offspring of that marriage follow, and then two unidentified ballads beginning "Walkeing in a pleasant feilde," and "Melpomene assist mee now," in handwriting B, the owner of which shows his or her interest in the effect of lunar and planetary dispositions on the birth of children. Altogether an interesting combination of piety and humanism, beauty and bawdry, university learning and frontier horse-sense; a fair reflection of the average college graduate's life, thoughts, and occupations in the Puritan century.

The pages of the manuscript book have been numbered in pencil. Pages [1–116] are at the present front end of the book, following the one remaining calf cover; page [117] is the first at the back of the book, reversed. An enlarged negative photostat has been made of all except pages [89–116] and [178–193]. This has been desposited in the Harvard University Archives and may be used for making positives for those who wish to examine the handwriting.

Our former president, George Lyman Kittredge, my colleague, Professor Hyder E. Rollins, and my secretary, Miss Florence Berlin are responsible for most of the identifications. All unidentified *flores* are here printed in full, so far as they are decipherable; identified ones, only in part. Of the church and vital records, only samples are printed, and those mostly of the ministry of Seaborn Cotton.

A table of contents of the book follows:

	Handwriting	*Page of MS.*	*Page of this Volume*
Ballad, "The Young-Man's Answer," Continuation	A	1–2	326
Song, "My Dearest Deare"	A′	3–4	327
Law Notes	A″	5–8	328
Case of Goodman Palmer, Hampton Church	A″	8–9	329
Notes from Theological Writers	A″	10–15	not printed
Brother Wiggin's Admission, 1661	A′	15	330
Church Meetings of 1662: the Goose Children	A′	16	330

found in the 1640 edition, and in the same sequence that he copies them; but several are not to be found in any of the later editions, where, moreover, the order is different. This proves that it was the 1640 edition to which Cotton had access.

	Handwriting	*Page of MS.*	*Page of this Volume*
Richard Swain's Excommunication, 1668	A′ or A″	16	330
Attending Quaker Meetings Forbidden	A′ or A″	16	330
Old Swain's Charges	A″	17–19	not printed
Verse, "They That Are to Mirth Inclined"	B	20	330
Verse, "Sorrow a Fury Is"	B	20	330
"For to Make a Handsom Woman"	B	21	331
Church Meeting, 1663, on Goodman Roby	A′	22	331
Mrs. Deering Denied Admission, 1668	A′ or A″	22	331
Old Swain, Vote on Church Children, List of Communicants	A′ or A″	23	not printed
Goodman Roby's Charges, January 1, 1663/64	A″	24–25	not printed
Admonition to the Congregation, February 14, 1663/64	A″	25–26	not printed
Church Meeting, 1667/68, on Admission of Adult Church Children	A′	27	not printed
List of Admissions, through 1669	A′	28–30	not printed
Admissions, 1675–1677	A″	30–32	not printed
Permission to Have Colcord Children Baptized	A″	31	not printed
Marriage Records, 1685, Signed by Seaborn Cotton	A′	33	not printed
John Clifford's Relations	A″	37–39	not printed
Names of Hampton Church Members	A′	40–43	not printed
John Cotton's Church Records, 1696–1699	C	44–50	not printed
Extracts from Dedication to Sidney's *Arcadia*	A	51	332
Verses upon Brave Mopsa (*Arcadia*)	A	51–52	333
Ballad, "The Love-Sick Maid"	A	53–54	333
Ballad, "The Young-Man's Answer"	A	54	335
John Cotton's Record of Hampton Church Admissions and Baptisms, 1698–1704	C	55–74	not printed
Prose Extracts from Sidney's *Arcadia*	A	75–77	336
Song, "Since So Mine Eyes" (*Arcadia*)	A	77	336
Prose Extracts from *Arcadia*	A	77–78	336
Song, "What Tongue Can Her Perfections Tell" (*Arcadia*)	A	79–84	337
Prose Extracts from *Arcadia*	A	84–86	337

	Handwriting	*Page of MS.*	*Page of this Volume*
Latin Letter to His Father	A	87–88	338
Hampton Records of Baptism and Marriages, Kept by His Son John Cotton, Continued from Page [74]	C	89–115	not printed
Prose Extract from *Arcadia* (?)	A	117[1]–119	339
Letter from A Young Lady, 1650	A	120–122	339
Song, "The Last Lamentation of the Languishing Squire"	A	131–132	340
Facetiae from *Witts Recreations*	A	133–139	342
Ballad, "The Two Faithful Lovers"	A	139	346
Ballad, "Disdain Returned"	A	140	347
Record of Seaborn Cotton's First Marriage, and of Births and Deaths in the Family	A, A′, A″	143–144	348
Ballad,"Walkeing in a Pleasant Feilde"	B	145	348
Ballad, "Melpomene Assist Me Now"	B	147	349
Nature and Disposition of the Moon in the Birth of Children	B′	149–161	not printed
Dispositions of the Planets	B′	162–168	not printed
Song, "Happy You Leaves When As Those Lily Hands"	B	169	350
Horse Trade, August 6, 1669	A′	169–170	350
Seaborn Cotton's Family Records, Amplified	A′, A″	171–174	351
Death Records	C	175	352
John Cotton's Family Records, 1687–1710	C	176–180	not printed
Family Records after 1710	various hands	181–193	not printed

[1] [*The Young-Man's Answer; or, his Dying Breath, Lamenting for his fair* Cordelia's *Death*][2]

Had not ye pow^r^ [for] to resist ye same
And shee who by Her last acknowledgement confest
thou hadst no craft,
Yet from thy Bow, thou madst her know
w^t^ pow^r^ lay in thy shaft.
and y^n^ thou sendst another arrow, wch me of
my Hopes bereft
Much like a foe to wound me so
for whome no cure is left.

[1] The remaining pages start with the back of the book, reversed.

[2] Continued from pp. [53–54] of the manuscript (see below, pp. 333–336), which should be read first.

Wherfore Physitians did you give my M^rs^ ore;
had you no more
Experience but w^t^ you in Bookes Have read,
Or why you learn^d^ D^rs^ did you cease to try
your wits[1] when I
Might have revivd Hir, had shee not bin dead.[2]
But since I come to late to view her,
If it bee not in vain[3]
After Hir death I would spend my breath
to fetch Her back againe.

Unto y^t^ fayre Elyziũ y^ther^ will I goe
whereas I know
shee is among those sacred ones preferd.
when I shall be admitted for to come so nigh
pardon Ile cry
for My long absence wherin I haue errd
And since I was by her esteemd so m^ch^ on ye earth
w^n^ shee was Here,
Hence for Hir sake no rest Ile take
till I'Have fo[u]nd Hir there. [2]

No more doe I desire y^n^ but for to Heare
My passing bell,
That virgins may lament ye day
of gera's[4] last far[w]ell.

Finis [3]

My dearest deare could I with suting skill[5]
paint to th'life my anguisht heart I'de borrow
Apelles pencill; & braue Homers skill,
& make thy heart glad long before ye morrow
but who cant goe must come agen & who cant write
must blot, who'ere will truly paint my woe
must write & Limne, be able to Indite
with virgills skill, though I be nothing so,
yet takes yre lives as bleeding from an heart

[1] Written over "skill" crossed out; the version in Joseph W. Ebsworth, *The Roxburghe Ballads*, has "skills."

[2] Three lines of the Roxburghe copy here omitted.

[3] "But now I'm come too late to kiss her, which were it not in vain" (Roxburghe).

[4] "Gerhard's" (Roxburghe).

[5] This unidentified poem is in handwriting A′.

y^{t}s full of throbs & dolefull mournefull tones
y^{t} now is part opprest with filling smart,
& now sends forth yre last & dying grones.[1]

Thou art ye person whome I dearly love
yet thy strange strangenesse doth my heart oppress
To thee I yet did ever constant prove,
Thy stealing love thou dost nere fill with ill,
Those frowning wrinkles lodg upon thy Brow.
Thy wound was Loathing to my kinde embrace
Those fayre & sweets wch bitter sweets are now
Thou [ ] my love dost chase.
But y^{t} Its wrought by ye allmighty God
in my ne're changing but most constant Heart,
y^{t} all yse things I doe apease his rod
To Husbands love my heart shall nere depart.
yet must I say unlesse thou change y^{y} cheere
I must thereby some desert coast goe spy
where I may write, [ ] it my hand [ ] dear
& y^{r} [ ] me unpittyd weepe, & dy.
yet for I goe as deaths wer [ ] to day,
Ile make my will dispose of all I haue. . . .

The last four lines of this page are illegible, and so are the twenty-eight lines that continue the same poem through page [4]. On page [5] are notes apparently copied from some law book. They are in the handwriting (A″) of Seaborn Cotton's old age.

Contra Testimonia Ru[ ] et Ma:

It is a rule in nature y^{t} a testimony hath Its principall force from ye testator or witnesse, & y^{r}fore nature layeth down yse 3 things as necessary to any witnesse to make his testimony believed. i. He must be prudent. y^{t} is He must haue skill to try his rule, every deduct[ion] from his rule to practise; y^{t} is, He must not be simple, & silly to tattle & prattle &c freely [?] w^{t} not. He must have discretion & be quiet, to [ ] & deliver a truth: again 2^{d}ly. He must be vertuous for if He have not vertue ioyned with his prudence, y^{t} is, if He make not conscience of witnessing ye truth w^{n} He is [ ] not to name such a witnesse so as He must be able to [ ] truth, so must He have conscience to vtter It. lastly. He must be benevolent. . . .

These notes continue through the middle of page [8] and are followed by what is evidently the record of a church meeting, written at the same time and in the same hand (A″).

[1] The rest of the poem was copied at a different time.

Θε ἴσ^{τ} νοτε

those y^{t} have cleare light, & doe clearly Judge, that y^{r} is full sufficient evidence for ye convictions & condemnations of U P in w^{t} γοοδμαν Παλμερ[1] & ἰζ ὡιφε hath said let y^{m} lift up y^{r} hands. et vice versa.

9 affirmative. ye maior part Negative.

Θε 2^{δ} νοτε

those y^{t} doe Judge M S a clear & sufficient [ ] evidence for conviction & condemnation in a religious society let y^{m} lift up y^{r} hands et vice versa: [9]

ἴν θὲ χάσε ὄφ γοοδι Πάλμερ

There follows one page, almost undecipherable, of speculation about scriptural authority for admonition by the minister. Beginning on page [10] and continuing through the middle of page [15] there are notes on Cotton's reading on various theological subjects: "Mr Manton on James. 5. 12. pag. 563"[2]; "Elton on ye Cort^{s} pag. 76"[3]; "Barker on ye 10 cap^{t} pag. 164"[4]; Ursinus on ye 3^{d} Capt pag. 168."[5]; "Ursinus in Catechesi. pag. 699"[6]; "Perkins in his case of Conscience. 2 book. 13. chap. 2 section"[7]; "Calvin in 3^{tiū} Præcep^{t} [ ]. pag. 312"[8]; "Idem in 9 præc. pag. 393"; "[ ] on ye 7th Capt pag. 416"; "Perkins in his ii vol. pag. 42"; "Ames. 2 lib. Theo: Capt 21. 5. 7. 8"[9]; "My father upon ye 3^{d} Capt 5 sermon"[10]; "[ ] on ye 2^{d} cap^{t} pag. 348."

Beginning at the middle of page [15] the church records are resumed. They are written in a different ink and in the younger hand (A′) of Seaborn Cotton.

[1] Cotton wrote "Pαλμερ."

[2] Thomas Manton, *A Practical Commentary, or an Exposition on the Epistle of James* (London, 1651).

[3] Edward Elton's folio exposition of Colossians was first published in 1620 and again in 1637; I find no commentary of his on Corinthians.

[4] Matthew Barker (1619–1698), a well-known Puritan divine, whose most important work was *Natural Theology* (1674).

[5] Zacharius Ursinus, *Opera Theologica* (Heidelberg, 1612; Hanover, 1634), or his *Corpus Doctrinae Orthodoxae sive Catechetiarum* (Geneva, 1612, englished by "Henrie Parrie," London, 1617, etc.).

[6] Probably the last-named work in the preceding note. It ran to over 1,100 pages.

[7] William ("Painful") Perkins, *A Case of Conscience, the Greatest That Ever Was*, came out as early as 1592, and is also included in some editions of his *Armilla Aurea* or *Golden Chaine*.

[8] Calvin wrote ten or twelve commentaries on the Epistles.

[9] William Ames's famous *Medulla Theologiae*, or *Marrow of Divinity*.

[10] John Cotton, *Practical Commentary upon the First Epistle Generall of John* (London, 1656; 2d ed., 1658), may be alluded to, or some manuscript sermon in the son's possession.

Those y^t doe apprehend y^t my Brother Wiggin standing propounded to ye Ch for full cōunion now solemnly owning ye covenant of [ ] made by his parents for him in infancy professing subiection to all ye ordinances of [ ] desiring ye church care & eye of him for his Intire course & being willing to provide [?] as ye Ch shall see meet, desiring baptism for his ⊕ shall signify [ ] by lifting up y^r hands

This vote affirmatively by ye Ch,

Aprill 6. 61. [16]

At a church meeting, August 11. 1662.

Whither women who professe theyre inability to speake in publique may bee admitted to cōunion with ye church by the reading of what they cōunicate in writing. This is owned as ye Jdgment of ye church.

Whither The church consent That Mrs Goose may have hir Children Baptized upon ye anniv. of Hir covenant with ye church, & that then shee & hir Children be recōmended & dismissed to ye watchfullnesse of ye church w^r they live.

Whether ye church consent That theyre pastor shall have ye Liberty of his conscience in The Baptizing of Mr Gooses children The Maior Part voted for this Last.

This Richard Swaine for His obstinate refusing to heare the Church, & being fundamentally hereticall, & scandalous as in the charges mentioned was excōunicated May 31. 1668.[1]

It was also agreed to by the Church that whatever Church members of ours should attend ye meetings of Quakers & ioyne with y^m therein, y^t It was scandalous & offensive to the whole body.[2]

Beginning on page [17] are Cotton's memoranda, in handwriting A″, with regard to "Old Swaines Charges." They are continued through page [19] and are mostly illegible. One gathers that old Swain absented himself from public ordinances, attended "ye abominable worship" of certain "seducers," and showed himself "contemptuos of ye Church."

With page [20] Cotton returns to miscellaneous literary matters.[3]

they that are to mirth inclined
yet hath woe within the mind
they that are to sorrow givn
yet Sorrow will not bring t' heavn

Sorrow a fury is[4]
and greife is to unkind

[1] This paragraph is written in a different ink and in a slightly older handwriting.

[2] This paragraph is written in a different ink from the preceding.

[3] They are written in handwriting B.

[4] These lines are written at the foot of the page, reversed.

it beat's back all our ioys
and creepes it selfe into the mind

Loue is a cruel paine
nay more a torment fell
they who haue felt it say
tis next the paines of hell [21]

for to make a handsom woman

shee must first haue a light browne haire a full high fore head with a straite brow not bending out with narrow black eye brows with a round full hazell eye a white nose straite not rising up nor flat pure vermilion cheeks [six words erased] with a little mouth and Corral lips the under lip a little fuller than the uper, a pretty long white neck straite back her shoulders of a middle breadth slender waste middle sised hipps a small leg and foot her hands and finger long and small her body must not be very tall but rather inclining to be tall then short

On page [22] church records are resumed.[1]

At a church meeting Decem: 16. 1663.

goodman Roby is charged with these speeches & actions. viz: Novem: 5. coming into ye meetinghouse He publiquely said, That I would baptize all ye heathen in ye country if there were water enough. attested by Th: Marston & Henery New.

further ye said Roby said ye same night going homewards about Anthony Taylours house, speaking with goodman Warren, about ye baptizing of ye children y^t^ day. He said that I might as well have cast ye water upon a beasts face standing by as upon these children. witn: Mrs Dudley [name illegible] Will: More.

againe Decem: 9. 63. being a fast this goodman Roby after ye beginning of ye sermon in ye forenoone turnd his backe upon me & went out of ye meetinghouse & came no more y^t^ day to joyne with ye church in y^t^ worship wch himself agreed to, as many of ye Church can testify.

whither ye Church themselves meet to allow perfect [?] communion in ye seales with the members of other churches y^t^ live not in ye towne but come transiently. The Ch must expresse y^r^ consent to It affirmatively.

August 30. 1668. Mrs Deering was denyed to be admitted to this church, because shee lived at Pascataque & Dover Church was nearer & wee could not practice ye Covenant to her so remote as they said.[2]

The records continue on page [23] with another vote on old Swain's offences, a vote on church children, and a list of those admitted to full communion "since my coming."[3] On pages [24–25] are "Goodman

[1] The first four paragraphs are in handwriting A′.

[2] This paragraph is in a different ink and a later hand.

[3] This is in handwriting A′ or A″.

Roby's [ ] Charges," dated January 1, 1663/64.[1] On pages [25–26] there is an entry, dated February 14, 1663/64, starting as follows: "I shall not use many words unto you, but I should [ ] y^{u} a reasonable creature, should I not take notice of ye late contempt y^{t} has been offered unto me at least by som." This is apparently an admonition of the parson, addressed to the whole congregation.[1] On page [27] is entered the vote, "At a Church-meeting at Brother Fullers House, Janu: 13. 1667," on admission of "adult church children."[2] On page [28] and continuing to the middle of page [30] is the record of those who "publiquely owne & renew the church-covenant," 1667–1669.[3] Further miscellaneous records, including the vote of the church meeting to allow Mrs. Colcord to have her grandchildren baptized, and a list of admissions in 1675–1677, run from the middle of page [30] through page [32]. On page [33] are the records of three marriages in 1685, each signed "Seaborne Cotton."[3] The next three pages are blank. Pages [37–39] are given over to an account, almost illegible, of "John Clifford's[4] Relation" on applying for church membership. "The Names of the members in full Cōunion with the Church at Hampton" appear on pages [40–41], and "The Names of the Female members in full cōunion surviving Sept 18. 1671," on pages [42–43]. Beginning on page [44] and continuing through page [50] are found the church records of the Reverend John Cotton (H.C. 1678).

With page [51] we return to literary excerpts in the youthful handwriting (A) of Seaborn Cotton. The following are from Sir Philip Sidney's *Arcadia*, the first excerpt being the beginning and end of Sidney's dedication to the Countess of Pembroke. Cotton is not an accurate quoter, hence it is impossible to ascertain which of the many editions available in his day he used; his spelling and capitalization are nearer, however, to the 1633 edition than to the earlier ones. My footnote references are (1) to the books, chapters, and sections of the *Arcadia*, and (2) to the Cambridge, 1922, edition of Sidney's works.[5] I have omitted parts of several passages on account of their length.

Most deare & most worthy to be most deare.[6] here you have this most idle work of mine, which I feare (like ye spiders web) will be thought fitter to be swept away,

[1] This is in handwriting A″ and is almost illegible.

[2] This is in handwriting A′ and is signed "Seaborne Cotton."

[3] This is in handwriting A′.

[4] A word is inserted here, possibly "Junior."

[5] *The Complete Works of Sir Philip Sidney*, Albert Feuillerat, editor (cited hereafter as *Works*).

[6] Cotton omits the first words, "Here now have you," and "Lady" after "deare," inserting "here you have"; and he takes other liberties with the text.

then worne to any other purpose. In very truth I could find in my heart to cast it out in some desert of forgetfulness which I am loth to owne. but you desired me to doe it & your desire to my heart is an absolute comdt. yet I hope you will continue to love ye writer, who doth exceedingly love you & most most [*sic*] heartily prayes you may long live to be a principal ornament to our family.

O blessed be thou love ye sweetest fayrenesse & fairest sweetness.

Let us thinke with consideration, & consider with acknowledging, & acknowledge with admiration, & admire with love, & love with Joy in ye midst of all woes.[1]

Some verses upon brave Mopsa

what length of verse can serve brave Mopsa's good to show?
when vertues strange & beauties such as no man them may know: **[52]**
thus shrewdly burdned then, how can my muse escape
the gods must helpe, & precious things must serve to show her shape.
like great god Saturne faire, & like faire Venus chaste,
as smooth as Pan, as Juno mild, like goddesse Iris fac'd,
with Cupid shee fore sees, & goes god Vulcans pace,
& for a taste of all these gifts shee steales God Momus grace,
Her forhead Jacinth like, her cheekes of Opall Hue,
Her twincling eyes bedect with Pearles, her lips as Saphir blew
Her haire like Crapal stone, her mouth O heavenly wide,
Her skin like burnisht gold, her hands like silver ure untried.
as for her parts unknowne which Hidden sur are best:
Happy be they which wel believe & never seeke ye Rest.[2] **[53]**

[*The Love-Sick Maid; Or,*
Cordelia's Lamentation for the absence of her Gerhard][3]

Begon thou fiery fatall feavor now begon,
Let Love alone,
with his ætheriall flames possesse my breast,
The heat of thy consuming fires no aide requires
But swift desires,
transport my passions to a throne of rest:
When I who in ye pride of youth could never finde
such Joyes to move
By sicknesse tam'd am so inflamd
I know no Joyes, but love.

[1] *Arcadia*, dedication; *Works*, I. 6–7.

[2] *Works*, I. 21.

[3] Several broadside copies are known; for the list, see the reprint in Ebsworth, *Roxburghe Ballads*, VI. 563–566, whence the title has been obtained. Mr. Ebsworth assigns 1660 as the probable date. The same ballad is paraphrased in Henry Bold, *Poems Lyrique, Macaronique, Heroique* (London, 1664), pp. 105–110.

And he y^t^ trifled many a long houre away
my Love to try,
He in short space, hath gaind ye grace
to have more pow^r^ y^n^ I.

Depart thou scorching fury quickly now depart
thinke not my heart
to thy dull flames shall be a sacrifice
A mayd dred Cupid on y^y^ altar now is layd
by thee Betraid
A rich oblation to restore thine Eyes.
Nor feare I if within thy treasures all at once
thy shafts doe move
shee y^t^ receives ten thousands sheaves
Can do no more but love.[1]

This should be belowe y^t^ which is above it.[2]

But yet my first acknowldgmt shall testify
thou hadst not craft
to bend thy bow against that foe
y^t^ aimd to catch ye shaft.

No more ye learnd physitians, tire your brains no more
pray give me o're
you may as well goe practise on the dead
although you learned doctors, all ye world doth know,
in learning flow,
Mine is a cure in physicke nevr read[3]
For if my Gerrard deignes to veiw me wth ye sun-
shine of his lookes,
I shall not doubt to live without
Physitians & y^r^ bookes. [54]

[1] These four lines are not in the Roxburghe version, but resemble that of Henry Bold, "Song LXVI. A Mock" (*Poems Lyrique*, p. 107):

Nor did I fear, though at my Bosome, all at once,
Such Darts did move;
She that receives, A thousand Sheaves,
She can no more, but *Love*.

[2] Cotton's note for his own benefit. The next four lines precede the previous four, as they do in Henry Bold's version (p. 106):

But yet, my fore acknowledgment, shall testifie,
Thou hast no Craft,
To bend thy Bow, Against a Foe,
That aim'd, to catch the *shaft;*

[3] This stanza resembles more closely the Roxburghe than the Henry Bold version, although some of the lines are transposed.

Tis he y^{t} wth his balmy kisses can restore
my latest breath
what blisse is this, to gaine a kisse
can raise a maid frō death.

To you divines[1] y^{t} preach another world I bow,
& will allow,
your sacred præcepts if youle grant me this
that He whome I esteeme of next to Diety [*sic*]
may goe with me,
without whose presence y^{r} can be no blisse:
Goe preach your præcepts of æternity
to those y^{t} aged bee,
Never perswade, a love-sick mayd
thers any heaven but he
But stay mythinkes an ycy slumber doth possesse
my wearied braine
Pray bid him dy if you see I
do neer wake againe:

Finis

His Answer[2]

Come on thou fatall messenger frō her y^{ts} gone
lest I alone,
within y^{t} quenchlesse flāe for evr fry
y^{t} fire of Love being kindled w^{r}in none can take
rest, but to wake
which makes me wish no longer live but dy.[3]
y^{t} wth my fayre Cordelia I may goe
& take asleepe
wth lids wide spred upon my bed
I m forct a watch to keep[4]

Dispatch thou scorching fury quickly now dispatch
by death I watch

[1] "Divines" appears in the Bold but not in the Roxburghe version.

[2] "The Young-Man's Answer; or, his Dying Breath, Lamenting for his fair *Cordelia's* Death," is the title of this reply. It appears on the same broadside as "The Love-Sick Maid" and is reprinted in *Roxburghe Ballads*, VI. 565. It is not found in Henry Bold's *Poems*.

[3] "Where slumber hath no power to close the eye" (Roxburghe).

[4] Three lines of the Roxburghe version are omitted here.

to be released from yis tormenting flame
ye dart sent frō dread cupid sticks fast in my heart
I wanting art[1]

Pages [55–74] are given over to church records for the period 1698–1704, entered in handwriting C. Beginning with page [75] extracts from Sidney's *Arcadia* are resumed.

it is y^e^e I love which nothing shall breake, no cōmand^t^ dissolve, no foulnesse defile, nor no death finish.[2]

thou are ye pearles of all ye maides of Mantinoea who as shee went to ye temple to be married, her eyes themselves seemed a temple wherein love & beauty were married. her lips though they were kept close with modest silence, yet with a pretty kind of naturall swelling they seemed to invite ye guests y^t^ looked on them: her cheekes blushing, & withal when shee was spoken to a little smiling, were like roses when their leaves are with a litle breath stirred.[3]

Pamela did apparalle her apparall & with ye preciousnesse of her body made it most sumptuous. But when ye ornament of ye earth, ye modell of heaven, ye triumph of nature, ye life & beauty, ye queene of love young Philoclea appeard in her nimphlike apparall, then I say indeed me thought ye lilies grew pale for enuie, ye roses blushed for to see sweeter roses in her cheekes, & ye apples fell downe from ye trees to doe homage to ye apples of her breast. [76] & y^n^ clouds gave place. . . .[4] [77]

shee was ye loadstone of my life ye blessing of my eyes, ye sweetness of my heart even sweetening ye death. . . .

A Song

since so mine eyes are subiect to y^r^ sight
y^t^ in your sight y^y^ fixed have my braine,
since so my heart is filled with y^t^ light,
y^t^ onely light doth all my life retaine. . . .[5]

lady most worthy of all duty in whome all virtue shines.[6]

I therfore desire her that shee would unarme her noble heart of y^t^ steely resistance ag^st^ ye sweet blows of love, ...[7] [78]

Imcomparable lady your coñp^t^ doth not only give me the will but ye power to obey you: such influence hath your excellence . . . . [79]

[1] Continued on page [1]; see above, p. 326.
[2] *Arcadia*, I. vii, 4; *Works*, I. 50. [3] *Arcadia*, I. viii, 3; *Works*, I. 53–54.
[4] *Arcadia*, I. xiii, 6; *Works*, I. 90. Prose quotations from the *Arcadia* continue through p. [78]. I have copied only the beginnings of the longer passages.
[5] *Arcadia*, II. ii, 4; *Works*, I. 156. [6] *Id.* [7] *Arcadia*, II. iii, 7; *Works*, I. 164.

A song

What tongue can her pefections tell,
In whose each part all pens may dwell
Her Haire fine threds of finest Gold,
In curled knots mans thoughts to hold
But y^{t} her forehead says in mee
A whiter Beauty you may see;
whiter indeede, more white y^{n} snow,
which on cold winters face doth grow,
that doth present those even browes,
whose equal line there angles bowes, ...[1]

Cotton copies almost the whole of this poem, which extends through the middle of page [84] of his manuscript. He then returns to prose extracts from the *Arcadia*, only a portion of which I have attempted to identify.

this showes ye power of your beauty which forced me to doe this.

If ther be any beauty in me, it is in mine eyes wch your blessed presence hath Imparted to you. . .[2]

Most beloved lady ye Incomparable excellency of your selfe, doe allmost make me tremble to offer unto you ye desires of my soule. doe you onely now voucsafe to beare [85] ye matter of a mind most perplexed . . .

O Deare, I hope your beauty will not be without pitty unto me . . .

I hope you will not deny ye shining of your eyes upon me.

I do rather wish that I had never been begotten, rather than by my meanes ye sky of your virtue should be overclouded with sorrow. [86] . . .

O sweet Philoclea thy heavenly face is my astronomy, thy sweet vertue, my sweet Philosophy, let me profit therin, & farewell all other Cogitations . . .[3]

The following Latin letter, written in Seaborn Cotton's earliest hand, signed with his initials and addressed to his father, is certainly not original with him, since the mistakes in Latin are of the sort that creep into a text recopied several times. It is a complimentary letter from a college student to his father and benefactor, perhaps intended to put the fond parent in the proper state of mind to heed a subsequent request for *pecunia*. Over some of the words are numbers indicating that he intended to change their order in copying out the letter. We have followed his directions in that respect.

[1] *Arcadia*, II. xi, 6; *Works*, I. 218–222.

[2] *Arcadia*, I. xiii, 6; *Works*, I. 91.

[3] *Arcadia*, III. iv, 5; *Works*, I. 375. This group of extracts continues through p. [86].

[87] P. R. H. et Ch.[1]

Quum ab Ingratitudine non secus abhorream quam Achilles ille Homericus a Mendacio, et mecum Perpenderem quam esset Immensū quod tuæ debeam Benignitati ut Meritum omne, omne quo*que* officium exsuperet meum, credidi te Accepturū si tibi Literariâ strenulâ, aut flosculo quopiam e Musarum Hortulis decerpto animū Memorem et Gratum utcunq*ue* testarer. Oh utinam tua in Me Perpetuò collata (multò plùs meritò) Beneficia unquam solvendo esse queam. Grates persolvere Dignas, Hoc opus, His Labor est.

Pro tuo Mei amore summo, et in me Jam sæpè collocatâ Benignitate, et gratias quas habeo maximas animo perquam Libentissimo rependo, et Omnia Mea deinceps in Posterū officia voluntate paratissimâ offero et addico. Non latent tuæ solicitudines anxiæ, nec Anx[i]etates quotidianæ Mei Boni gratiâ tibi emergentes. patent Molestiæ, patent angores tui, patent deniq*ue* omnes Curæ tuæ, mei Cōmodi Gratiâ. Novi quantū Olei operaci [*sic*][2] sumpsisti ut doctus evadam, Novi (et melius mihi esset si melius possem) quot consilia quot suasoria verba mihi dixisti, quoties me Monitū voluisti ut Probus existam. quoties suasisti quoties Incitasti neu tibi dedecori et aliis scandalo fierem. Deus novit, quam tua tunc Concilia posthabui, et non secundū ea vitam degi: nunc vero Me meæ Negligentiæ pendet[3] nunc Me parvi earū æstimationis tædet poenitet e[ ] sed, ah Me videre est Me potius propter omnia tua beneficia tibi Pandoram[4] esse potius quam illas gratias referentem vel saltem [88] juxta eorum merita merent gerentem.

Ipero [*sic*][5] tamen Me Hinc inde Melius Conciliis tuis auscutare, monitis tuis obedire pro virili conatū fore. Et quanta in Me posita est vis Me filium patris Jussa præstare gaudentem præbiturum esse, et memet non patris suasiones vili æstimantem esse exhibiturum. quid tibi, quid inquam pollicear? nam meipsum quantæ [?] sim dedimus et exiguum est Me illi dedendum, qui nisi fuisset Ipse non essem. Tibi deniq*ue* quod possum et quod [?] non possim debeo, et ut solvam quæ debeo, Te Humillime obtestor ut in propiisimis ad thronum gratiæ accessibus Deum obnixe petas, ut cor novum mihi det, et lapidem in Carneum Mutat, ut quid in postero vitæ Meæ cursu, magis ad illius Honorem et gratiæ suæ [?] gloriam vitam degam, quam in initio ætatis meæ adhuc vixerim [?] et ut Deus ille Misericors Omnipotens, peccata Mea sanguine Christi abluat, ut quum vivos et Mortuos Judicat Ego inter Oves apud Dextrā suam integer et Immaculatus appearem.

Hæc supliciter petens acquiesco.

O. F.[6]

S C.

[1] *Patri Reverendissimo Honorabilissimo et Charissimo* is the suggestion for expanding these initials made by our associate Edward Kennard Rand, who has kindly helped me establish the Latin text.

[2] *Operaeque* is called for.

[3] Another copyist's mistake; should be *poenitet.*

[4] Doubtful. The comparison of parental counsels to the contents of Pandora's box is one of those compliments that might have been better expressed.

[5] *Juro* is called for.

[6] *Obedientissimus Filius?*

On page [91] the Hampton Church records under John Cotton are resumed, a continuation from page [74]. On pages [89–102] are baptisms, 1704–1707, with an occasional admission to full communion and record of choice of deacons. On pages [103–111] are marriage records, 1701–1709/10, each signed "Jn° Cotton." Pages [110–113] are blank. On page [115] are a few baptisms of 1707–1708, with a reference in John Cotton's hand to "liber alter viz. Chh. Records." Several blank leaves follow; the next page, which I have numbered [116], is at the back of the book, reversed. Pages [117–118], in Seaborn Cotton's handwriting (A), are so mutilated that no text can be established. They are followed by three pages of prose. On the lower half of page [119] begins a new paragraph, probably an excerpt from Sidney's *Arcadia:*

I beseech you take my words in y^t^ go[od] part my affection deserves, all I de[sire] is y^t^ as all my thoughts are dedicat[ed] & devoted to ye honour service & love of ye heavenly vertues of your soule, and all my wishes but to be acceptable unto you & yours may so farre ensure them, as to set all other freindship & affections behind mine, ...

The next excerpt, on page [120], is obviously a letter written by a young lady in Arcadian style. I expected to find it in Sidney, but searched in vain. Possibly some romantic lady of Seaborn's acquaintance wrote it to him; but more likely he copied it from a book while on a visit to Braintree in 1650.

Braintree August 10. 1650[1]

Most Intirely affectionate & best beloved freind.

The manifold happy meetings & pleasant Embracings which yourselfe hath dignifyed mee withall heretofore, your amorous savour, your smiling aspect, and lovely countenance, which these Eyes of mine (though vnworthy to behold so rare a beauty) have in beholding often been dazeled withall. the very many vertues I have ever told you endowed withal, and often manifested by the vnvterable courtesies & Innumerable & well deserving kindnesses that I have often participated of. I [*torn*] ye Consideration of my [121] former enjoyment of these & many other (though most vnworthy & least able ever to make recompense) hath stricken me with so great a wound which none but your selfe must or can Cure. To be plaine, (for plaine dealing I hold ever best) these often & experienced gratifications of love which your selfe hath often vouchsafed mee, hath extimulated ye erors of my weake though true affection tha[t] I must plainly confesse (though Contrary to ye Modesty of our sex) that I am so farre Enamored with your person & personall vertue that I am quite sepulted in y^t^ la[ ] which is usually with a trible knot Thus, Confiding that you will Conceale my affection, & shortly answer my good will

[1] This line and the letter that follows are in the same ink, and in Seaborn Cotton's earliest hand.

with renewed life (now gasping for life) I must though very loath breake off and remain at present as one bereft of life not knowing which way fortune [**122**] [may] turne ye whele. But it may [be], You may obiect, your freinds & mine may not be willing hereafter, to which I answer, so y^t^ I enioy but you I will run through all difficultyes. let come what will, I desire you S^r^ y^t^ so soone as you have rec^d^ this you would commit it to ye mercilesse flames. least some oversight may breed future trouble. or at least blot out ye name. But this in hast I must with a submissive salutation bid adieu. And shall while I am

remaine
Your Humbly
devoted & true
affectionate
freind.[1]

The four leaves following page [122] have been cut out. On page [131] Cotton returns to his poetical excerpts.

[*The Last Lamentation of the Languishing Squire; or, Love overcomes all Things*][2]

A Song

As I walk'd forth to veiw ye spring
which flora had adorned
In gorgeous rayment every thing
from winters rage had turned.
I cast mine eye & did espy
A boy wch made much clamor
And drawing nigh I heard him cry
tis omnia vincit Amor.

As by himselfe he sat alone
fast by ye chrystall river[3]
then mournfully this doleful tone[4]
with sighes he did deliver.
woe with that face & comly grace[5]
of her y^t^ none can shame her
her beauty faire makes me with feare[6]
cry omnia vincit amor.

[1] Numerous pen flourishes follow.

[2] Title from *Roxburghe Ballads*, VI. 228, where an undated broadside copy is reprinted.

[3] "Upon his Face he lay along, hard by a Chrystal River" (Roxburghe).

[4] "Song" (Roxburghe).

[5] "Wo worth her face, her comly grace!" (Roxburghe).

[6] "Her splendid Rays cuts off my days" (Roxburghe); Cotton's line is at the end of the next stanza in the Roxburghe version, which he omits.

you silent streames that swiftly gli[de]
by part[n]er of ye morning[1]
you flagrant [*sic*] feilds & flora's bride[2]
condeme her for her scorning
let every tree a witnesse bee
how Justly I might blāe her
you chanting birdes note y^s^ my words
tis omnia vincit amor.[3]

had shee been kind as shee was faire
she might have bin admired,
In evry part without compare
which hath my life expired.[4] [132]
At length his breath began to faile
he could not speake but stam̄ar.
then sighing sore he said no more
but omnia vincit amor.

And when shee saw me neare my death[5]
shee ran in haste to save mee
but quickly I resigne my breath
so deepe a wound love gave me.
Yet for her sake this vow Ile make
my tongue shall ne're defame her
but on her herse I'le write this verse
tis omnia vincit amor.[6]

All men can harpe upon this string
& rusticke clownes doe know y^ts^ sound
that sting[ing] dart that love doth fling
doth allwayes smite a deadly wound.
nay evry boy y^t^ goes to schoole
that hath but learned his gram̄er
doth scorne to look to find ins booke
Oh omnia vincit Amor.

Now may you see close love doth bind
whome god & man keapes under
although young cupid was y^n^ blinde

[1] "You chrystal Streams that sweetly glide, be partners of my Mourning" (Roxburghe).
[2] "Meadows wide" (Roxburghe).
[3] Cotton omits here two stanzas of the Roxburghe version.
[4] "Who hath my Death conspired" (Roxburghe).
[5] "Thus I perceived him near his Death" (Roxburghe).
[6] The Roxburghe version concludes here.

could not y^{m} breake asunder.
Nor thundring Jove nor warlike mars
nor vulcan with his hamer
none can withstand this boyes comand
but **Omnia vincit Amor.**

Finis.

With page [133] we come to the excerpts from the *Witts Recreations*. As the text of these may be established from the *Facetiae* reprint of 1874, or from the 1640 edition which Cotton evidently used, I have not reproduced in full some of the broader quotations.

On Women[1]

Women are bookes & men ye readers bee
In whome oft times y^{y} great Erratas see
here sometimes nere a blot y^{r} we espy
(A leafe misplaced at least a line awry;
if y^{y} are bookes I wish y^{t} my wife were
An Almanake to change her evry yeare.

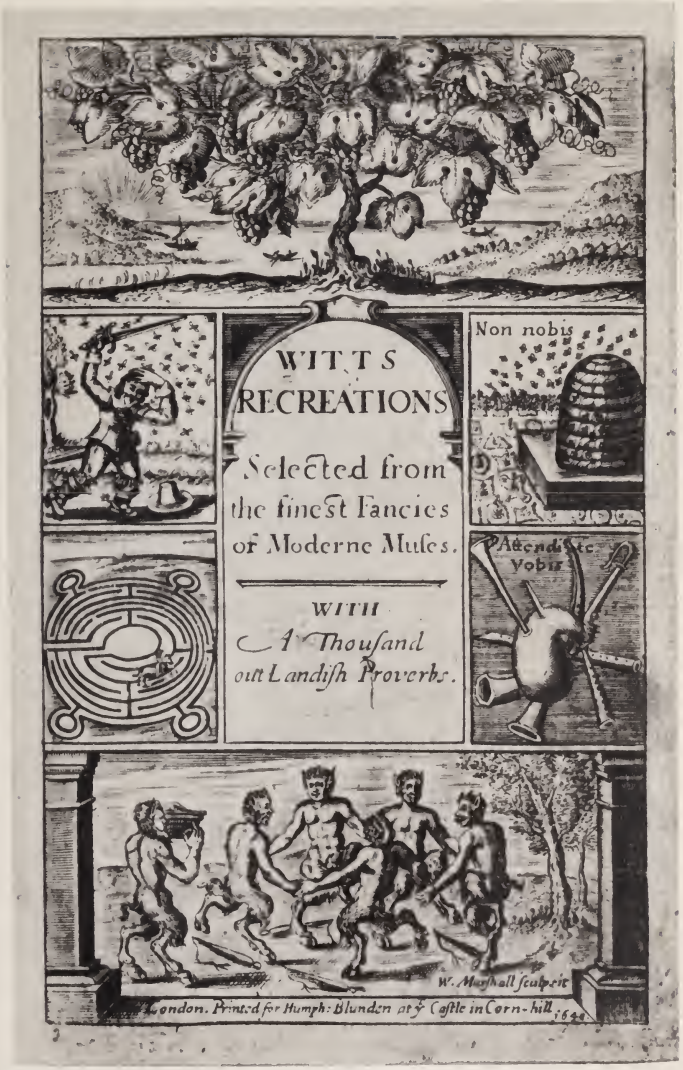
on his M^{rs}[2]

I saw faire flora take ye ayre
When Phoebus shind & it was fayre
the heavens to allay ye heat
sent drops of raine wch gently beat
the sun retires ashamed to see
that he was barrd from kissing y^{ee}.
then boreas tooke such high disdaine
that soone he dryd those drops againe:
ah cunning plot & most divine
thus to Mix his breath with thine.

Eidem[3]

When first I saw ye th[ou] didst sweatly play
the gentle theife & stole my heart away,
render me mine againe or leave thy owne
two are to mch for ye since I have none
but if thou wilt not I will seware thou are
a sweet faced-creature with a double heart.

[1] *Facetiae, Musarum Deliciae*, II. 38; *Witts Recreations* (1640), No. 116.
[2] *Facetiae*, II. 17; *Witts Recreations* (1640), No. 126.
[3] *Facetiae*, II. 314; *Witts Recreations* (1640), No. 129.


WITTS
RECREATIONS
Selected from
the finest Fancies
of Moderne Muses.
WITH
A Thousand
old Landish Proverbs.
Non nobis
Accendite
vobis
W. Marshall sculpsit
London. Printed for Humph: Blunden at ye Castle in Corn-hill 1640

[*The Crab is Restorative*][1]

The crab of ye wood
is sauce very good
for ye crab of ye foaming sea.
but ye wood of a crab
is sauce for a drab
that will not her husband obey. **[134]**

*to his M^rs^*[2]

Sweetest fayre be not too cruel
blot not beauty with disdaine
let not those bright eyes adde fewell
to a burning heart in vaine.
least men Justly when I dy
deeme you ye Candle mee ye fly.

how to choose a wife[3]

Good sir if you'le shew ye best of your skil
to picke a vertuous creature,
then picke such a wife as you love a life
of a comely grace & feature.
the noblest part let it be her hart
without deceiet or cunning.
with a nimble wit & all things fit
with a tongue y^ts^ never running.
ye hayre of her head it must not be red
but faire & browne as a berry
her forhead high with a christall eye
her lips as red as a cherry.

*on his M^rs^*[4]

My love & I for kisses playd
she would keepe stakes I was content
& when I wonne shee would be payd
this made me aske her w^t^ she meant,
Sayth shee since you are in this wrangling vayne
take you your kisses & give me mine againe. **[135]**

[1] Title from *Facetiae*, II. 97; also in *Witts Recreations* (1640), No. 138; (1641), No. 117; (1645), No. 111; (1650), No. 129; (1654), No. 129.

[2] *Facetiae*, II. 314; *Witts Recreations* (1640), No. 163; also in edition of 1654, among "Fancies & Fantastickes," with title "Another."

[3] *Facetiae*, II. 18; *Witts Recreations* (1640), No. 164.

[4] *Facetiae*, II. 106; *Witts Recreations* (1640), No. 165; (1641), No. 143; (1654), No. 168.

of women[1]

Commit thy ship vnto ye winde
but not y^y^ faith to womankinde
there is more safety in a wave
then in y^y^ faith y^t^ women have
no womans good, if chance it fall
some one be good amongst them all.
some strange Intent ye destinies had
to make a good thing of a bad.

A riddle[2]

thoughts } c
searching }

valued }
love } may B

Truth nev^r^ lies

too A foole y y:
if haue part.
then to you surely are in heart.

On women[3]

Womans ye centre & ye lines are men
the Circles love, how Doe y^y^ differ then?
Circles draw many lines unto ye Centre
but love giues leave to onely one to enter.

On womans love[4]

A womans love is like a syrian flw^re^,
y^t^ buds & spreads & withers in an houre

On Cupid[5]

Cupid no wonder was not cloathd of old
for love though naked seldome e're is cold. **[136]**

[1] *Facetiae*, II. 44; *Witts Recreations* (1640), No. 168(2); (1641), No. 147.

[2] *Facetiae*, II. 300; *Witts Recreations* (1640), No. 206 (here reproduced in facsimile); (1641), page 1 of "Fancies and Fantastickes."

[3] *Facetiae*, II. 112; *Witts Recreations* (1640), No. 211; (1641), No. 176.

[4] *Facetiae*, II. 113; *Witts Recreations* (1640), No. 213; (1641), No. 178.

[5] *Facetiae*, II. 139; *Witts Recreations* (1640), No. 216; (1641), No. 182.

Not ever flowriſhing, this truth I find,
Too truely in my ſelfe, by fate aſſign'd
For having all, I ſee that all 's but but brittle,
And even at beſt my bliſſe on earth's but little.

205 *See my heart is ſtill noble.*

Thongh fortune frowns and fate ſuppres my will,
Yet ſee the lucke, my heart is noble ſtill.

206 *A riddle.*

Thoughts } c
Searching }

Valued }
Love } may E

Truth never tyes
Too A foole y y:
If [illegible] haye part

A witty Passage[1]

An old man sitting at a christmas feast
By Eating Brawne occationed a Jest. . .

of letting[2]

In bed a young man with his old wife lay
O wife quoth he I have let a thing today . . . [137]

To his M^rs[3]

your lips fayre lady ift be not too much
I beg to kisse your hand I crave to touch . . .

To his M^rs[4]

take oh take those lips away
that so sweetly were forsworne
& those eyes like breake of day
lights y^t doe mislead ye morne
but my kisses bring againe
Seales of love though sealed in vaine.

hide oh hide those hilles of snow
which y^y frozen bosome beares
on whose tops ye pinkes y^t growes
Are of those y^t Aprill weares:
but first set my poore heart free
bound in those icy chaines by thee.

to young men[5]

young men fly when beauty darts
amorous glances at your hearts
the fixt marke gives your shooter ayme
& ladyes lookes have pow^r to mayme,
now twixt y^r lips now in y^r eyes
wrapt in a kisse or smile love lyes
then fly betimes for only they
conquer love y^t run away. [138]

[1] *Facetiae*, II. 118; *Witts Recreations* (1640), No. 238; (1641), No. 200; (1654), No. 230.
[2] *Facetiae*, II. 126; *Witts Recreations* (1640), No. 279; (1641), No. 239; (1654), No. 272.
[3] *Facetiae*, II. 23–24; *Witts Recreations* (1640), No. 298.
[4] *Facetiae*, II. 25; *Witts Recreations* (1640), No. 345; *Measure for Measure*, IV. 1.
[5] *Facetiae*, II. 26; *Witts Recreations* (1640), No. 462.

In Amorem[1]

Love if a god thou art, then ever more thou must
be mercifull & Just;
If Just thou be O wherfore doth thy dart
Wound mine alone & not my Mistresse heart
Who have thee truly served,
Whyle shee that for thy pow[r] cares not a fly
laughes y[ee] to scorne & liues at liberty.
Then if a god thou wilt accounted bee,
Heale me like her or else wound her like me. [139]

Amicitia[2]

what[s] freindship? tis a treasure,
tis a pleasure:
bred twixt two worthy spirits,
by there merits:
tis two minds in one meeting,
never fleeting:
Two wills in one Consenting,
each Contenting:
One brest in two divided yet not parted;
a double body, & yet single hearted;
two bodies making one through selfe election
two minds, yet having both but one affection.

Finis ad hoc Tempus.

[*The Two Faithful Lovers*][3]

Farewell my hearts delight, Lady adieu.
I must goe take my flight, when it ensues.
My countrymen I doe see they cannot yet agree
till things will better bee England adeiu.

[1] *Facetiae*, II. 60; *Witts Recreations* (1640), No. 467; (1641), No. 494; in Francis Davison, *Poetical Rhapsody* (1602), No. 190, where it is called "Madrigal I. *To Cupid*," and the lines are arranged differently. In Hyder E. Rollins's edition of this latter work (II. 118–120), it is shown that this madrigal is translated from the *Rime* of Luigi Groto (1541–1585).

[2] *Facetiae*, II. 61–62; *Witts Recreations* (1640), No. 470; (1641), No. 497.

[3] Title from broadside of *c.* 1670–87 reprinted in J. W. Ebsworth, *The Bagford Ballads*, II. 471–474. A copy not listed by Ebsworth is in the Pepys Collection, III. 325, at Magdalene College, Cambridge. Cf. *Bibliotheca Lindesiana. Catalogue of a Collection of English Ballads of the XVIIth and XVIIIth Centuries*, No. 388. The first two lines are quoted in Elnathan Chauncy's commonplace book.

O be not so unkind, Love heart, & Joy.
for to leave mee behind, breeds my anoy.
O have a patient heart, Ile helpe to beare ye smart,
Ere y^ee^ & I depart my turtle dove.[1]

Ile leave y^ee^ gold good store, y^ee^ to maintaine
what canst thou wish for more, doe not complaine.
servants shall waite on y^ee^, Ile leave y^ee^ Jewells 3
y^t^ thou maist thinke on mee when I am gone.[2]

if thou wilt goe to sea love heart, & Joy
I will attend on you and be your Boy,
for here Ile not abide w^t^ ere me betide,
Heavens yn be my guide & leade ye way. **[140]**

[*Disdain Returned*][3]

If thou wast fairer, y^n^ thou art,
which lyeth not in ye power of art,
or Hadst thou in thine eyes more darts,
y^n^ ever Cupid shot at Hearts,
But if y^y^ were, not shot at mee,
I would not Have one thought of y^e^,
I would rather Marry a disease,
then court the thing I cannot please
shee that would cherish my desire,
Must meete my flame wth æqual fire,
W^t^ pleasure is y^r^ in a kisse,
To him y^t^ doubts ye Hearts not His,
I love y^ee^ not b'cause thou art fayre
Softer y^n^ downe, sweeter y^n^ Ayre,
Nor for those graces which doe ly

[1] "E'er I from thee will part, my turtle-dove" (Bagford).

[2] Two stanzas of the Bagford version are here omitted, and the next stanza there is as follows:

Then let me go with you,
heart, love and joy;
I will attend on you,
and be your boy:
If you will go to sea,
I'll serve you night and day,
For here I will not stay,
if you go hence.

There are eight more stanzas which Seaborn does not copy.

[3] Title from *Westminster Drolleries, Both Parts, of* 1671, 1672, J. W. Ebsworth, editor, Appendix, pp. x–xi; the poem, without the title, is also in John Cotgrave, *Wits Interpreter: Or, Apollo and Orpheus* (1655), pp. 103–104.

In every corner of thine Eye.
If thou wouldst know w^{t} it may bee
Its I love y^{ee}, Cause thou Lovest Mee.

The Anser followeth

One leaf following page [140] has been cut out. Page [143] is all in Seaborn Cotton's handwriting, and obviously written at four separate times: (1) the marriage record; (2) the first four births; (3) from "this childe dyed" through the entry for the second Sarah; and (4) seventh child.[1]

I was married by My Father The 14 of June, 1654.

My 1st childe still borne novem. 21 at nine of ye clocke at night. in ye year 1655.

ye 2^{d} Dorothy nov: 11 at 5 of ye clocke in ye morning 1656.

ye 3^{d} John. May ye 8th between 3 & 4 in ye morning. 1658.

ye 4th Sarah feb. 22 about 1 in ye afternoone. 1659: this childe dyed Aprill 1 about 2 in ye morning. 1660.

ye 5th was borne on thursday august [ ] 1661 at halfe an houre past twelve at noone. Her name is Anne.

ye 6th was borne on thursday July 3. 63 betweene 5 & 6 of the clocke in the morning. Her name is Sarah.

ye 7th was borne on ye lords day, being august 13. 1665 about 3 of ye clocke in ye morning, baptized ye same day & named Elizabeth.

Death records, beginning with that of John Cotton, December 23, 1652, are entered on page [144]. They also are in Seaborn Cotton's hand, and written at a different time from any of the preceding. They are repeated on page [173], and from that page are printed below. On page [145] begins another group of poetical excerpts. The following ballads are in handwriting B.

Walkeing in a pleasant feilde
Where trees goodly fruite did yeeld
round aboute I Cast my eye
for to see what I Coulde spye
Many trees I saw there grow
which did make a pleasant show
but amongst this pleasant wood
there a stately Cedar stood
young it was but yet well grown
the statelyest tree that I haue known
when uppon it I did loock

[1] These vital records have been printed in *New Eng. Hist. Gen. Reg.*, XXXIII. 35.

mee thought my very hart was struck
as I was gazeing on this tree
admireing that which I did see
Suddenly I saw a Creature
going towards this stately Cedar
it pulled the boughes from of the body
but yet this gallant tree stood steady
it pulled & tore it very sore
but yet this tree stood as before
and stand it will in spighte of all
though som do hope to make it fall
D C [147][1]

Melpomene assist mee now
with doleful mourneful tones
Some of your sacred skill impart
to utter forth my grones

O had I now but eloquence
my greifes for to relate
sure I could moue the ruthless stones
to pitty my harde fate

My soule with trouble is overwhelmed
my harte with greife nighe broake
my wounde it is incurable
So heauy is my yoake

Coulde I put life into my pen
to understand my woe
instead of inke then drops of blood
full soone from thence woulde flow

Although thus deadly be my greife
and burdensome my smart
yet close I will it keepe within
the secret of my hart

theres none aliue shall euer know
what doth my soule oppress
vnless that I were sure that they
Coulde ease my sad distress [149][2]

The next entry in the commonplace book deals with "the nature & dis-

[1] P. [146] is blank. [2] P. [148] is blank.

position of the moone in the birth of children." These forecasts for each day of the moon cover pages [149–161]. They are in what appears to be a much older handwriting (B′) of the person who copied the preceding ballads. There follow, in the same handwriting, on pages [162–168] notes on "The dispositions of the planets," of which the following extract is typical:

Saturne, iupiter, Mars, Sol, Venus, Mercury, Luna,
Saturne is the Cause of death, dearth & peace, Jupiter is the Cause of Long peace rest & vertuous liuing. . .

The following poem at the top of page [169] is in the same hand (B′). It has the appearance of having been copied earlier than the astrological data, but later than the ballads on pages [145–147].

happy you Leaues when as those
Lilly hands, which hold my Life
in there dead doing might
shall handle you and hold in Loues
softe bands, Like trembling
captiues at there victors sight
and happy Liues on which with
Bravry Light those Lampes
With delight somtime to look
and read the sorrows of my
dying sprighte, written with
teares in harts Close bleeding
book

The following record of a horse trade is in Seaborn Cotton's hand (A′).

A Bargaine made between John Garland & my selfe August 6. 1669. That He should send mee forthwith the Horse I borrowed of him to Plymouth[1] which Horse I am to have for mine owne paying the said Garland seven pounds in manner following viz: 2000 foot of boards between the next spring & midsummer at price currant, & the remainder of ye pay, to be set off in his next rate, & what that falls short of the whole summe [**170**] to be payd in corne or staves at the price that I receive them. this agreement was made the day aboue mentioned, between John Garland, & Seaborne Cotton, my wife & Mr Colcord being present. further the vse that I have had of the Horse was to be freely for nothing as the same attest. and further It was agreed that if the said Garland should become indebted to Mr Groth for any Care, I paying Mr Groth what was due should have It allowed mee out of the summe of the seven pounds: this was ye full bargaine.

[1] Seaborn's younger brother, John Cotton (H.C. 1657), was ordained pastor of the church in Plymouth on June 30, 1669. See our *Publications*, XXII. 144.

On page [171] we return to family records.

I was Marryed by My Father Mr Simon Bradstreet to His Eldest Daughter Dorothy: June 14. 1654.

The record of childbirths printed on page 348, above, from page [143] of the manuscript is here repeated in handwriting A'. There follow, in a different ink and in Seaborn Cotton's oldest hand, these addenda.[1]

The Eighth was borne on friday night about 1 of ye clocke in ye morning The 2^d of November & was baptized the 4th 1666 and was named Mercy. [172]

The 9th my wife miscarryed with on monday night, the night following the 30th of december 1667. It was a boy. The Lord helpe vs to make good vse of his providence.

The 10th was borne vpon Monday morning being the 5th of Aprill 1669 between sixe, & seven in ye morning, & was baptized the 11th of ye same moneth, and named Abiah; & dyed May the 11th 1669 about noone: The Will of the Lord bee done.[2]

The 11th was borne upon thursday night, about midnight being Aprill 21. 1670. was baptized the 24 of ye same instant, named Maryah.

My Deare wife dyed & went to heaven feb 26 1671. & was buried feb 28 1671. & was with childe so her 12th childe yet never delivered. [173]

My Deare Father Mr John Cotton having lived 67 yeares & 20 dayes, dyed on thursday morning about eleven of ye clocke decemb. 23. 1652 & was buried the following tuesday being decemb: 28. 1652. cuius vestigia semper adoro.

My Sister Sarah having lived betweē 14 & 15 yeares, dyed, Jan. 20. 1649 & was buried ye next day:

My Brother Rowland fell sicke Jan. 18 & dyed about 8 dayes after my sister 1649. was aged 6 yeares.

My Sister Elizabeth dyed in childebed august: 31. 1656. was aged about 18 yeares: shee dyed at one in ye morning being Lords day as also my Sister Sarah dyed ye Lords day in ye afternoone.

My deare Mother Mrs Sarah Mather, Formerly Mrs Cotton, having lived about 75 yeares dyed in the Lord May 27.1676 & was buried May 28 being the Lords Day. Let mee never Forgett her dying words.[3] [174]

I was marryed to my second wife, Mrs Prudence Crosbey The daughter of Mr Jonathan Wade of Ipswich the 9th of July 1673 by Maior Denison

My 1st childe by Her, ye 13th in all, was born on Satturday night, about 7 of ye clocke, It being ye 29th of August, & was baptized august 30. 1674 & was named Rowland. The Lord give us Rest.

[1] These were also printed in *New Eng. Hist. Gen. Reg.*, XXXIII. 35.

[2] This entry and that for the ninth child are in a younger hand than that for the eighth. The record of the birth of the eleventh child and that of the death of his wife were entered separately.

[3] This was entered later than the above deaths, and is in Seaborn Cotton's oldest handwriting (A″), as are the remaining entries on p. [174].

My 2[d] childe by her & 14th in all, was borne october 6 about 5 of y[e] clocke in y[e] morning 1676 & baptized octob. 8 1676 & was named Wade, in honour of his Grandfather Wade & to put him in mind of wading through all trialls to heaven He dyed & was buried octob. 11. 76. [**175**]

My Hon[d] Father m[r] Seaborne Cotton having lived 53 years dyed April 20 1686 about break of y[e] day . . .[1]

I was married to M[rs] Anna Lake by Maj[r] Richards Aug. 17 1686 at evening. Jn°: Cotton

The rest of this book contains John Cotton's family records, 1687–1710, in his and later hands (pages [177–180]); an account of his death (page [181]); and later family records made by one of his sons or grandsons (pages [182–193]).

[1] Beginning with this entry the handwriting is that of John Cotton (C).

Annual Meeting
November, 1935

THE ANNUAL MEETING of the Society was held at the Algonquin Club, No. 217 Commonwealth Avenue, Boston, on Thursday, November 21, 1935, at a quarter after seven o'clock in the evening, the President, SAMUEL ELIOT MORISON, in the chair.

With the consent of those present, the reading of the records of the last Stated Meeting was omitted.

The Corresponding Secretary reported the death, on November 2, 1935, of CLARENCE WINTHROP BOWEN, a Corresponding Member.

The Corresponding Secretary reported the receipt of letters from Mr. LAWRENCE COUNSELMAN WROTH accepting Corresponding Membership in the Society, and from Mr. ZOLTÁN HARASZTI accepting Associate Membership.

Mr. RICHARD MOTT GUMMERE, of Cambridge, was elected a Resident Member of the Society.

The Council recommended for adoption by the Society the following amendment to the By-laws:

Chapter I, Art. 1, to be amended to read as follows: "The Corporate Seal shall be an escutcheon: azure, a cross (from the arms of the Plymouth Colony) and in the canton a naked savage holding a bow and an arrow, as in the early seals of the Colony of the Massachusetts Bay, all gold, surrounded by a circular band bearing the legend, THE COLONIAL SOCIETY OF MASSACHUSETTS, 1892."

This amendment was unanimously adopted by the Society.

The Annual Report of the Council was read by Mr. ROBERT WALCOTT.

Report of the Council

DURING the year the Society held three stated meetings: on December 20, 1934, at the house of Mr. Augustus P. Loring, Jr., when Mr. George P. Anderson spoke on "Secret Entries in John Rowe's Diary," Mr. Albert H. Hall read a paper on "The Revolution of 1634,"

and Mr. B. Loring Young spoke on his ancestor, the Massachusetts historian Alexander Young, and on William Hubbard, copies of whose works he presented to the Society; on February 28, 1935, at the house of Mr. Francis R. Hart, when Mr. Perry Miller spoke on "The Background of Early New England Thought," and the Reverend Henry W. Foote read a paper entitled "Was Jeremiah Dummer a Painter of Portraits?"; and on April 25 at the house of Mr. Kenneth G. T. Webster, when Mr. Arthur H. Buffinton read a paper on "The Massachusetts Experiment of 1630," and the President spoke on "The Commonplace Book of Seaborn Cotton."

Since the last Annual Meeting the following members have been elected:

Resident:

RAYMOND WALKER STANLEY
REGINALD FITZ, M.D.
FRANK WILSON CHENEY HERSEY

Corresponding:

JOHN STEWART BRYAN

Associate:

WILFRED JAMES DOYLE
JOHN CHESTER MILLER
ZOLTÁN HARASZTI

Honorary:

GEORGE MACAULAY TREVELYAN
HON. WILLIAM CUSHING WAIT
SIR CHARLES HARDING FIRTH
JAMES BRYANT CONANT

We have lost by death during the year five members:

FRANK BREWER BEMIS, Resident, 1923, died March 10, 1935. Well known as a connoisseur of china and silver and as a collector of the rarities of English literature from the time of the earliest printed books to the latter part of the nineteenth century. He was much interested in the Society and was regular in his attendance at meetings.

CHARLES EVANS, Corresponding, 1926, died February 8, 1935. He was born in Boston in 1850 and was educated in its public schools. He did not attend college but was an assistant in the Boston Athenæum before becoming librarian successively of the public libraries of Indianapolis, Baltimore, and Omaha. He classified the Newberry Library of Chicago and organized the Virginia Library of the McCormick Theological Seminary

of Chicago. He was secretary and librarian of the Chicago Historical Society and was the author of *American Bibliography*, intended to be a chronological dictionary of all books, pamphlets, and periodical publications printed in the United States from 1639 to 1820.[1]

Clarence Winthrop Bowen, Corresponding, 1905, died November 2, 1935. He was born in Woodstock, Connecticut, in 1852, was graduated from Yale College in 1873, and took his doctorate there in history in 1882. He was one of the founders of the American Historical Association (1884) and served as its treasurer for over thirty years. He was president of the New York Genealogical and Biographical Society and vice-president of the American Antiquarian Society and of the Connecticut Historical Society. In early life a newspaper correspondent, Mr. Bowen was able to write history that was readily readable. This is true even of his large and elaborate history of Woodstock, Connecticut. He was instrumental in arranging many historical celebrations, as for example the Columbian Quatercentenary of 1892, preparing the way ten years in advance by interviews and articles when he was correspondent for the *Independent* in Europe. He also organized the centennial celebration of the inauguration of Washington as the first president of the United States, and edited the sumptuous volumes that are a permanent and valuable memorial of that occasion. A hospitable gentleman of the old school, he was helpful to all worthy historical enterprises.

Oliver Wendell Holmes, Honorary, 1927, died March 6, 1935. Of his long and honorable career—he died in his ninety-fourth year—it is superfluous to speak. Since the death of Charles W. Eliot he was often referred to as "the leading citizen of the United States."

William Cushing Wait, Resident, 1897, Honorary, 1934, died January 28, 1935. He was an honor man in Harvard College and in its Law School, and was the student of the law firm of Elder, Wait and Whitman. His reading was wide and his learning thorough. Especially was he interested in history and education. He had a long and valuable service on the school committee of Medford. He was a friendly person, well liked by the Bar that practised before him while he was a member of the Superior and later of the Supreme Judicial Court of this Commonwealth.

During the year the Society has issued, through the generosity of one of its members, a further volume of Harvard College Records (Volume XXXI of our *Publications*), and has continued to contribute to the support of the *New England Quarterly*. Volume XXVIII of our *Publications*, continuing the Transactions of the Society, is to appear shortly.

[1] The last volume published before his death carried his work into the year 1799.

The Treasurer presented his Annual Report, as follows:

Report of the Treasurer

In accordance with the requirements of the By-laws, the Treasurer submits his Annual Report for the year ending November 14, 1935.

STATEMENT OF ASSETS AND FUNDS, NOVEMBER 14, 1935

ASSETS

Cash:		
Income	$12,477.82	
Loan to Principal	*11,709.71*	$768.11
Investments at Book Value:		
Bonds (Market Value $104,000.00)	$92,284.77	
Stocks (Market Value $48,150.00)	44,907.94	
Mortgages	10,500.00	
Savings Bank Deposit	2,957.47	150,650.18
TOTAL ASSETS		$151,418.29

FUNDS

Funds	$138,940.47
Income	12,477.82
TOTAL FUNDS	$151,418.29

INVESTMENTS AS OF NOVEMBER 14, 1935

BONDS	*Book Value*
$5,000 Atchison, Topeka and Santa Fe Railway Company General 4's, 1995	$4,728.01
5,000 Bell Telephone Company of Canada First 5's, Series B, 1957	4,062.50
5,000 Canadian Pacific Railway Equipment Trust 5's, 1944	3,872.50
5,000 Cedars Rapids Manufacturing and Power Company First 5's, 1953	4,450.00
5,000 Central New England Railway Company First 4's, 1961	3,512.50
5,000 Central Pacific Railway Company First and Refunding 4's, 1949	3,762.50
5,000 Chester Water Service Company First 4½'s, 1958	3,375.00
5,000 Chicago and Western Indiana Railway Company Consolidated 4's, 1952	3,640.00

$5,000	Chicago Junction Railways and Union Stock Yards Company Mortgage and Collateral Trust Refunding 5's, 1940	$3,762.50
5,000	Cleveland, Cincinnati, Chicago and St. Louis Railway Company Refunding and Improvement 4½'s, Series E, 1977	3,726.76
5,000	Indianapolis Power and Light Company First 5's, 1957	4,593.75
5,000	Minneapolis, St. Paul and Sault Ste. Marie Railway Company First Refunding 6's, Series A, 1946	5,000.00
5,000	New England Telephone and Telegraph Company First 5's, Series A, 1952	4,875.00
5,000	New York Water Service Company First 5's, 1951	3,650.00
5,000	Oregon-Washington Railroad and Navigation Company First and Refunding 4's, Series A, 1961	4,105.00
5,000	Public Service Company of New Hampshire First and Refunding 4½'s, Series B, 1957	4,700.00
5,000	Texas Corporation Convertible Debenture 5's, 1944	5,012.50
5,000	Texas Electric Service Company First 5's, 1960	4,437.50
5,000	Toledo Edison Company First 5's, 1962	4,881.25
2,500	United States Cold Storage Company First Mortgage 6's, 1946	2,500.00
4,000	United States Cold Storage Company First Mortgage 6's, 1945	4,000.00
5,000	Western Union Telegraph Company 5's, 1960	5,137.50
5,000	Wickwire Spencer Steel Company Prior Lien Collateral and Refunding 7's, 1935, Certificate of Deposit	500.00
	TOTAL BONDS	$92,284.77

STOCKS

50 shares	American Telephone and Telegraph Company	$8,593.63
50 shares	Consolidated Gas Company of New York, Common	3,077.50
100 shares	Electric Bond and Share Company Cumulative $6.00 Preferred	10,600.00

50 shares	E. I. Du Pont de Nemours and Company	$2,683.75
50 shares	First National Bank of Boston	1,750.00
1 share	First National Bank of the City of New York	1,544.81
240 shares	General Electric Company, Common	5,719.50
50 shares	Insurance Company of North America	1,963.75
40 shares	Radio Corporation of America, Common	0.
5 shares	Travelers Insurance Company	2,225.00
50 shares	United States Cold Storage Company, 7% Preferred "A"	6,750.00
50 shares	United States Cold Storage Company, Common	
TOTAL STOCKS		$44,907.94
First Mortgages on improved property in Greater Boston		10,500.00
Deposit in Warren Institution for Savings		2,957.47
TOTAL INVESTMENTS		$150,650.18

COMPOSITION OF FUNDS, NOVEMBER 14, 1935

Publication Fund, established in 1893 by gift of $100 from Quincy Adams Shaw: composed of sundry small gifts and portions of the Income which were added from year to year. Income only to be used for Publications	$10,000.00
General Fund, established in 1893: composed of Admission Fees and Commutations added to Principal, Gains on Sales of Securities, etc. Income only to be used for Current Expense	27,625.30
Benjamin Apthorp Gould Memorial Fund, established in 1897 and 1898 by subscriptions in his memory. Income only to be used	10,000.00
Edward Wheelwright Fund, established in 1900 under his will without restrictions as to use	20,000.00
Robert Charles Billings Fund, established in 1903 under his will. Income only to be used for Publications	10,000.00
Robert Noxon Toppan Fund, established in 1904 by a gift in his memory from his widow. Income only to be used	5,000.00
Robert Charles Winthrop, Jr., Fund, established in 1905 under his will. Increased by $2,000 in 1924 under will of Elizabeth Winthrop. Income only to be used	5,000.00
Andrew McFarland Davis Fund, established in 1908 by a gift from him to be added to the permanent publication funds. Income only to be used	2,000.00
William Watson Fund, established in 1916 under his will without restriction as to use	1,000.00

George Vasmer Leverett Fund, established in 1920 under his will. Income only to be used for Publications	$30,000.00
Henry H. Edes Bequest, established in 1923 under his will. To accumulate until it reaches the sum of $3,000, when it shall be called the Martha Rebecca Hunt Fund. Income only to be used for special purposes	2,957.47
Henry H. Edes Memorial Fund, established by sundry subscriptions from 1923 to 1925. To accumulate until it reaches the sum of $10,000. Income only to be used for Publications	5,357.70
George Nixon Black Fund, established in 1929 under his will without restriction as to use	10,000.00
Total Funds	$138,940.47

Changes in Principal of Funds

Total Funds, November 14, 1934		$138,556.30
Add—Additions to General Fund:		
Savings Bank Interest transferred from Income		1.24
Add—Additions to Special Funds:		
Henry H. Edes Memorial Fund	$303.27	
Henry H. Edes Bequest	79.66	382.93
Total Funds, November 14, 1935		$138,940.47

Income Cash Receipts and Disbursements

Balance, November 14, 1934		$11,237.86
RECEIPTS:		
Interest	$5,120.00	
Dividends	2,453.50	
Annual Assessments	730.00	
Admission Fees	60.00	
Sales of the Society's Publications	346.00	
Contributions	4,245.70	
Total Receipts of Income		12,955.20
		$24,193.06
DISBURSEMENTS:		
Editor's Salary	$1,000.00	
Services to Editor	250.00	
For Publications:		
Volume 28	1,850.71	
Volume 31	4,856.85	

Volume 32	$3.80	
Volume 33	240.00	
New England Quarterly	2,000.00	
Annual Dinner	488.65	
Notices and Other Expenses of Meetings	81.03	
Accounting Services	100.00	
Secretarial Expense	100.00	
Stenographic Services	100.00	
Storage on Stock	183.88	
Fire Insurance	29.74	
Rent of Union Safe Deposit Box	22.00	
Contribution to Writings on American History	50.00	
Shipping Charges	19.44	
Collection Charges	.15	
Federal Check Tax	.16	
Accrued Interest on Securities Purchased	35.56	
Interest on Henry H. Edes Memorial Fund added to Principal	303.27	
TOTAL DISBURSEMENTS OF INCOME		$11,715.24
BALANCE OF INCOME CASH, NOVEMBER 14, 1935		$12,477.82

PRINCIPAL CASH RECEIPTS AND DISBURSEMENTS

Loan to Principal, November 14, 1934		*$9,870.54*
RECEIPTS:		
Transferred from Income to Principal:		
Henry H. Edes Memorial Fund, Income	$303.27	
Interest on Warren Institution for Savings Account	79.66	
Interest on Provident Institution for Savings Account	1.24	
Withdrawal from Provident Institution for Savings Account	43.07	
TOTAL RECEIPTS OF PRINCIPAL		427.24
		$9,443.30
DISBURSEMENTS:		
$2,000 Atchison, Topeka and Santa Fe Railway Company General 4's, 1995	$2,185.51	
Interest on Warren Institution for Savings Account, added to Principal	79.66	
Interest on Provident Institution for Savings Account, added to Principal	1.24	
TOTAL DISBURSEMENTS OF PRINCIPAL		2,266.41
LOAN TO PRINCIPAL, NOVEMBER 14, 1935		*$11,709.71*

JAMES M. HUNNEWELL, *Treasurer*

Report of the Auditing Committee

The undersigned, a Committee appointed to examine the accounts of the Treasurer for the year which ended November 14, 1935, have attended to their duty by employing Messrs. Stewart, Watts and Bollong, Public Accountants and Auditors, who have made an audit of the accounts and examined the securities on deposit in Box 1052–E in the Union Safe Deposit Vaults.

We herewith submit their report, which has been examined and accepted by the Committee.

Matt B. Jones
Henry L. Shattuck
Raymond W. Stanley
Auditing Committee

The several reports were accepted and referred to the Committee of Publication.

On behalf of the committee appointed to nominate officers for the ensuing year the following list was presented; and a ballot having been taken, these gentlemen were unanimously elected:

President Samuel Eliot Morison
Vice-Presidents Hon. Arthur Prentice Rugg
Chester Noyes Greenough
Recording Secretary Augustus Peabody Loring, Jr.
Corresponding Secretary Hon. Robert Walcott
Treasurer James Melville Hunnewell
Registrar Robert Dickson Weston
Member of the Council for Three Years Reginald Fitz, M.D.

After the meeting was dissolved, dinner was served. The guests of the Society were Professor Henry J. Cadbury, Mr. William E. Dorman, Mr. Richard W. Hale, Mr. Francis R. Parks, the Reverend Anthony R. Parshley, the Reverend John E. Sexton, Mr. Charles H. Taylor, and Professor Harry A. Wolfson.

After the dinner President James Bryant Conant addressed the Society and its guests.

December Meeting, 1935

A STATED MEETING of the Society was held, at the invitation of Mr. AUGUSTUS P. LORING, Jr., at No. 2 Gloucester Street, Boston, on Thursday, December 19, 1935, at three o'clock in the afternoon, the President, SAMUEL ELIOT MORISON, in the chair.

The records of the Annual Meeting in November were read and approved.

The Corresponding Secretary announced the death of FRANK BREWSTER, a Resident Member, on November 25, 1935.

The Corresponding Secretary reported the receipt of a letter from Mr. RICHARD MOTT GUMMERE accepting Resident Membership in the Society.

Dr. ALBERT WARREN STEARNS, of Billerica, was elected a Resident Member of the Society; Mr. REGINALD COUPLAND, of Oxford, England, was elected a Corresponding Member; and Mr. ELDON REVARE JAMES, of Cambridge, Massachusetts, was elected an Associate Member.

Mr. ALLEN FRENCH read the following paper:

John Clarke

Historian of Bunker Hill

I OFFER the Society a bit of what might be called accidental research—facts gathered about one subject while looking up another. With this sort of knowledge all are familiar. Everyone knows that when an obscure subject slowly becomes interesting because of the agreement or disagreement of facts that one has hit upon, one goes back and gathers them up, files them together, and from that time is on the lookout for more. Eventually, when time allows or opportunity offers, one makes the minor point the main subject of research until available data seem exhausted. This is the method that I have followed with the personal history of John Clarke, historian of Bunker Hill. Mr. Harold Murdock first brought before me the mystery concerning him. The question that Mr. Murdock and others had raised took but a moment to answer. But the rest waited for some years for a chance discovery which eventually en-

abled me to follow up the subject when in London. Now I can offer my little sheaf of knowledge—still incomplete, as such things mostly are, but no longer speculative.

I offer the story more or less as it came to me—not merely because it is more interesting so, but because, if I should leap to the end of it and present my conclusions in a nutshell, I am sure that someone would ask to go back and gather up the clues before there could be any assurance that I am right. Historians are like mathematicians and Missourians in wanting to be shown.

So far as I know, John Clarke, who called himself a Marine, wrote the first book on the subject of Bunker Hill—not the first account, nor the first printed one, for reports were earlier in circulation in newspapers and the like. But his seems to have been the first bound volume devoted to the subject, even though the volume is a small one, the print large, the covers paper. The title is as long as the book is short: *An Impartial and Authentic Narrative of the Battle Fought on the 17th of June, 1775*, with many lines more. The first edition is of but thirty-two pages; the second, thirty-six. Both are of the year of the battle. The book gives us certain statements which are found nowhere else, in consequence of which it has three times, in modern days, had the distinction of a reprint.[1] Two of the editors raised the question of the identity of the writer, whom they could not place. Both of them went wrong because of a simple bit of forgetfulness which also troubled Mr. Murdock. Samuel Adams Drake queried who Clarke might be because his name was not to be found in the roster of the two battalions of Marines which, before the battle, had been landed to fight ashore. William Abbatt, going still further, and finding that a John Clarke was lieutenant of the Fifty-Ninth Regiment, concluded that Clarke "chose to assume the disguise of an officer in the other corps." It is quite true that the number of Clarkes, Clarks, and Clerks in the Army Lists is quite confusing—there are, for example, an Ensign Clark of the Thirty-Fifth, a John Montagu Clark of the Forty-Third, and an Ensign John Clark of the Sixty-Third, all on a single page of promotions in Howe's Orderly Book,[2] besides the John of the Fifty-Ninth, all of whom were in Boston at the same time. And in the Army List of 1775, which I suspect the two editors did not consult at all, there are two other John Clarkes in addition to the man we seek.

[1] The book was first reprinted by the Bradford Press, New York, 1868 (99 copies); next by Samuel Adams Drake in his *Bunker Hill*, Boston, 1875; then by William Abbatt in Number 8 of his Extra Numbers of the *Magazine of History*, 1909. All these follow, properly, the second edition. Both the 1775 editions are extremely rare.

[2] *General Sir William Howe's Orderly Book*, B. F. Stevens, editor (London, 1890), p. 41.

There was even a Clarke on the list of the wounded at Bunker Hill. Though neither Drake nor Abbatt suspected him, I own that for a while I did when I noticed in the list which General Gage sent home, among the Volunteers, "Fifty-Ninth, Mr. Clarke, wounded." This was neither the Clarke already mentioned as belonging to the Fifty-Ninth, nor the John Clarke of this paper, but for a while I made a little romance out of him until I traced him down.

But the John Clarke of this paper is easily found as soon as one remembers that besides the Marines ashore there were others on every warship in the harbor. And turning to the Army List for 1775, one finds John Clarke among the first lieutenants of Marines, as having reached that grade on March 4, 1771.[1] It is true that the name is spelled "Clark," but in the Lists of those days the spellings were interchangeable. This is, then, the very man whose name stands on the title-page of the book—"John Clarke, First Lieutenant of Marines."

Nor is it difficult to trace this John Clarke further by this same means. I have not had access to a complete set of Army Lists, but those at hand have been enough. The List of 1758 gives a George Clerk, appointed second lieutenant in the Marines, March 30, 1757. I have not seen his name again; but in the List of 1770 John Clarke appears as first lieutenant on half-pay—that is, he was temporarily retired because not needed. The next year he is on the active list as second lieutenant again, as having been originally appointed to the grade on the same March 30, 1757. George Clerk is therefore our John Clarke, as was proved by a letter from the Admiralty to me giving the same date and the same company, the Forty-Second. He was put on half-pay in 1763, says the letter. The Army Lists show that at this time, with the coming of peace, many regiments and units of the army were disbanded.[2]

From 1770 to 1775 the Army Lists regularly contain the name of John Clarke; but in 1776 he is gone, nor does he reappear thereafter. Other sources, however, give a complete account of every day of his time while he served as first lieutenant. He was at quarters intermittently; but at other times he was recruiting for the Chatham division of the Marines, was on the ship *Marlborough*, was transferred to the Portsmouth division, and was on the *Centaur*, the *Flora*, and the *Panther*. At length, on January 17, 1775, he was appointed to the Fifty-Third or Fifty-Fifth Com-

[1] *Army List for* 1775, p. 181. A searcher in the Lists should notice that the Marines, whether on regular or half pay, are not in the general lists of army officers. Perhaps that is why Drake and Abbatt missed Clarke.

[2] A complete set of Army Lists would doubtless allow one to follow John Clarke pretty well, though names sometimes disappear and reappear very strangely. The letter to me from the Admiralty is dated August 27, 1930.

pany. At Boston he was on the *Falcon*. Most of these facts are taken from the Admiralty letter. The Admiralty archives even hold the complete story of the unlucky end of Clarke's service; but the official searchers did not find all the records, nor did I until accident helped me.

Credit is due to William Abbatt for another fact concerning Clarke. In the British Museum Catalogue is listed a translation from the Latin, the *Military Instructions of Vegetius*, printed in 1767, "credited," says Abbatt in his preface, to "Lieutenant John Clarke of the Marines."[1] It is evident that a lieutenant of Marines who would publish such a translation should be capable of writing an account of Bunker Hill. Let us look at his book, to see what he told of the battle, and what we can learn of himself.

To modern historians Bunker Hill battle has always presented certain technical problems which contemporary accounts do not solve. In his *Bunker Hill*, published in 1927, Mr. Harold Murdock devoted himself to some of these problems, and in my own book of a year ago I gave two chapters to the subject.[2] What we both wanted was a tactical explanation of the double battle carried on by British attacks against the rail fence and the redoubt. Now John Clarke's ship was the *Falcon*, and the *Falcon*, during the battle, was busily bombarding the American defences. According to both contemporary maps, those by De Bernière and by Page, the *Falcon* was in the best of positions, barring the smoke of its own discharges, to watch both battles. Would not an idle Marine officer have been at a masthead, eagerly watching the drama on shore? He would have seen the attack on the rail fence twice fail, and those on the redoubt beaten back. He would have watched the final concentration on the redoubt, and then the eventual victory. What a spectacle to watch, and what a tale to tell!

All know, however, how unsatisfactory can be the account of an event by a participant or eyewitness. We know we must not ask too much of him. We do not wish him to try to tell anything that he did not see or experience, or to give the whole tale of a battle of which he did not have a complete bird's-eye view. If a participant tries to tell the whole story of a battle, he is almost sure to go wrong. Thus the story of Bunker Hill by Captain Laurie of the Forty-Third Regiment is vague and worthless, though he may be presumed to have taken part in the terrible march along the beach.[3] Many diaries are dull, many letters colorless, even though

[1] Mr. Abbatt seems to ascribe the name of the author to the cataloguer, not to the book itself. I have not had the volume in my hand. Mr. Abbatt apparently set a research worker to hunting in the British Museum. As I shall show, while the fact he was looking for was there, where I found it, both he and I should have searched first in the Admiralty records, now in the Public Record Office, London.

[2] *The First Year of the American Revolution*, chapters xv and xvi.

[3] Allen French, *General Gage's Informers*, p. 98.

written by men who lived through the most exciting adventures. The writers seldom can give the sequence of events; and as to putting their acts, their sensations, their observations, into the story—they never think of it. Nor is it because they are too busy to write fully enough, nor do they lack the education to do it. It is a matter of personality, though perhaps nothing more than an instinctive understanding of what the reader wishes to know. Educated men often fail to write interesting or even clear accounts of their adventures, while the simplest folk, like Amos Farnsworth writing in his diary of Bunker Hill,[1] vividly put down, however briefly, scenes and sensations.

But John Clarke was no such man as Farnsworth, for he told of the whole battle of Bunker Hill in a single sentence. For the tactics or for any single detail of the battle, see how little can be learned from him:

> We then began to proceed to action, by marching with a quick step up the precipice that led to the intrenched Provincial Army, until within five hundred yards of them: a very brisk fire commenced on their side, and was returned on ours; still marching up to their intrenchments as fast as possible, from whence we dislodged them by four o'clock, the battle being fought and gained within one hour.[2]

And this is the story of Bunker Hill? If so, it is at least as soldierly a tale as that of John Stark, who was even in the thick of the fight, yet wrote of it a report from which one cannot gather the least idea of what happened.

But perhaps Clarke himself was in the thick of the fight. His account, just quoted, begins with *we*—"We then began to proceed to action. . . ." Perhaps, bored with inaction, he had had himself put ashore in the *Falcon's* boat, and, joining the men of the Fifty-Ninth as volunteer, was in the very battle. If so, since the Fifty-Ninth itself was not there, he was with either its grenadier or its light-infantry company, which saw the hottest work. Does the remainder of his book throw any light on this?

On analysis, Clarke's book proves to be quite helter-skelter, not truly befitting the translator of a Latin treatise. Quite early, as is proper, he tells of a speech by General Howe to his officers. In brevity it is soldierly; it understates rather than overstates the peril of the situation to the British in Boston. And in this same understatement its closing words are admirable: "Remember, Gentlemen, we have no recourse to any resources, if we lose Boston, but to go on board our ships, which would be very disagreeable to us all."[3] How calmly British! To an American such a defeat would be infuriating. This supposed speech of Howe's is found nowhere else than

[1] 2 *Proc. Mass. Hist. Soc.*, XII. 83; cf. *id.*, p. 81, where Farnsworth writes of the fight at Hog Island.

[2] Clarke, *Narrative* (2d ed.), pp. 4–5.

[3] *Id.*, pp. 3–4.

in Clarke's book. I should like to believe it genuine, except for that part in which Howe promised to march at the head of his troops. Had he led a single assault, only by a miracle could he have survived the day.

Clarke's single sentence describing the battle is followed by anecdotes of various kinds. He tells of the death of Lieutenant Dutton, of the vegetable gardens captured with Charlestown, of Mrs. Gage's generosity, and (not very clearly) why Lord Percy was not in the battle.[1] He tells a good tale of Major Pitcairn. He gives the list of casualties,[2] of the units engaged, of the ships in the harbor. He describes the "melancholy procession" in Boston of carriages with the dead and wounded officers. He tells a little of Boston during the siege. So great was the interest in England in all these things that it is no wonder that Clarke's first edition sold well; and when the second appeared, augmented by a list of promotions and more anecdotes,[3] it probably sold out quite as rapidly.

As we look through the book for more evidence concerning John Clarke himself, we find it in a story of the death of Doctor Warren. Clarke wrote:

> A report having prevailed, that Doctor Warren was not killed, I think it necessary to contradict it, as I saw a soldier, after the Doctor was wounded and lying in the trenches, going to run him through the body with his bayonet; on which the Doctor desired he would not kill him, for he was much wounded, and could not live a great while longer; on which the soldier swore that he would, for that he had done more mischief than any one else, and immediately run him through the body.
>
> The Doctor's dress was a light-coloured coat, with a white sattin waistcoat laced with silver, and white breeches with silver loops; which I saw the soldier soon after strip off his body.[4]

Of this story Richard Frothingham, writing in 1850, said: "If John Clarke could stand idle and see this barbarity, he must have been a fiend in human form."[5] Yet an exhausted victor, as were so many of those who

[1] Percy was on duty at Roxbury.

[2] The list of casualties differs somewhat from the official list sent over by General Gage, by the vessel in which Clarke probably sailed, the *Cerberus*. For example, in the Fifth Regiment Clarke gives Major Mitchell as wounded, while Gage does not, and omits Harris, who was wounded and was in Gage's list. As the despatches were sealed, Clarke of course had no access to them on board ship, nor did he correct his list by them afterward. He disagrees with the official total.

[3] Gage issued a list of promotions on June 25, and presumably sent it with his despatches of that date, also by Clarke's ship. It is in *Howe's Orderly Book* (pp. 20 ff.), but is not in the official despatches. The fact that it is not in Clarke's first edition makes it seem as if the book had been rushed into print. Again Clarke's list differs somewhat from the official one.

[4] Clarke, *Narrative*, p. 18.

[5] *The Command in the Battle of Bunker Hill*, p. 43.

climbed the redoubt, himself watching against danger to his own life, could not stop the bayoneting which was going on everywhere about him. And Frothingham himself points out that Clarke's account does not agree with any other British story. It is in fact one of several between which it is difficult to choose, some of which agree that Warren's death was instantaneous. Yet one of Clarke's details catches the eye and recalls another British statement: that Warren "died in his best cloaths: everybody remembers his fine silk-fringed waistcoat."[1]

But here is Clarke's claim that he was actually in the battle, for he could not have seen or heard these things from the masthead of his ship. Of his connection with the battle we find nothing more; yet of his army service he says as follows, in closing: "As thirty-six years of the Author's life have been spent in the service of his late and present Majesty, he hopes that the indulgent Public, and the curious Critic, will therefore look upon him as a Soldier, not as a writer."[2] Thirty-six years would bring Clarke's entrance into the service back to 1739, not to 1757. Was he in the Marines prior to 1757 in some capacity lower than that of second lieutenant? There were no ensigns. Was he in the army proper? Lacking access to early Army Lists, I cannot follow him so far back.

But in whatever service he spent his early years, we must speculate on what time did to him. He was thirty-two years in the service before he reached the grade of first lieutenant. A little knowledge of the purchase system in the British army at that time, and of the politics in it as well, shows that Clarke need not have been a dullard. A dullard does not write a book or translate a Latin treatise. He may of course have been an oddity. But were he normal at his beginning, what do thirty-two years in the lower grades, seven of them spent idling on half-pay, do to the character of a man? Do they, as one possibility, make him sour? do they make him reckless? do they, as a possible third, turn him to drink? Clarke served through two great wars, but he never had money and he never gained influence to bring him promotion. Let him have entered the service ever so young, he must have been, at the age of writing his book, well into his fifties. What a life! Is there any more to learn of it?

Anyone who has worked on a large subject for a long while knows how valuable it is to study once more a document read at the beginning. The knowledge gained meanwhile brings new light to the subject, and often

[1] From a letter, dated July 5, 1775, by an officer in Boston, quoted in *Detail and Conduct of the American War*. Americans believed that Warren's coat was sold in Boston. Richard Frothingham, *Life and Times of Joseph Warren*, p. 519, quoting Jane Belknap Marcou, *Life of Jeremy Belknap*, p. 93.

[2] Clarke, *Narrative*, pp. 31–32.

a document re-read will take on fresh meaning, or some single fact in it will strike the attention.

Thus it was that, reading a manuscript which I had studied long before, I came upon John Clarke's name and my necessary clue when I was not expecting it. I admit that it must have passed under my eyes at least twice before when the problem of John Clarke had not become important to me.

Admiral Samuel Graves, a particular interest of mine, in whose writings I have found much of importance on the naval aspects of the story of the Siege of Boston, was very fond of writing. His reports to his superiors were detailed and almost voluminous. When he was recalled from Boston under circumstances that looked much like disgrace, but was given no hearing because no charges were brought against him, he got out, in retirement, all his despatches and from them wrote two volumes of what he called "The Conduct of Admiral Graves."[1] After he had written this account, he doubtless found it too long, and going through it, crossed out names, lines, and even whole paragraphs. The passage that I speak of I must have passed over hastily in his original unabbreviated report; but I finally noticed it in his manuscript in London, even though a pen stroke had been drawn through the name of John Clarke.

Here then I had the clue to the end of the story. It is sadly unheroic. Yet here again John Clarke, historian of Bunker Hill, was in touch with another story almost equally great in our Massachusetts history. For on the nineteenth of April, on the afternoon of Concord Fight, when the news was brought to Boston that Lord Percy's column was being driven by the Minute Men and militia of Middlesex back to Boston, and was hoping to find safety in Charlestown, it was evident to the general and the admiral that upon arrival Percy should be given protection. "The instant this was known," wrote Graves in his report, "the Admiral ordered all the Marines . . . to be ready to land at a moment's Warning . . . ; and by desire of General Gage they were landed in the afternoon . . . to cover the retreat of our harassed soldiers."

Thus Percy was made safe. But here our John Clarke entered a corner of the picture. For as the admiral continued his report, he wrote of an event of June 7, nine days before Bunker Hill: "Two Lieutenants of Marines (of the Falcon and Boyne) were tried and dismissed for being in Liquor upon duty on the 19th of April last."

And then on June 14 the admiral wrote the passage which later he in part crossed out. I give it as it originally stood:

I transmit also the Sentence of a Court Martial held the 7th instant upon Lieut.

[1] This can be found, not only in manuscript in the British Museum, but also in a modern manuscript copy in the Massachusetts Historical Society.

John Clarke of the Marines late of the Falcon, in Consequence of which I have ordered him a passage to England, in the Cerberus. I am well informed this unfortunate man has served thirty six years with great credit.[1]

With great credit! What a system it was, under which a man could serve so long and so well, yet advance but a single grade! A bad system indeed. Yet it lasted nearly another century.

So on the day of Bunker Hill Clarke was out of the service and, if not free to walk the streets of Boston, may still have been under a not unfriendly arrest on board one of the ships, perhaps even his own. For in those days drunkenness was a gentleman's indulgence, not too heavily frowned upon, and many must have felt a little sympathy with Clarke. The thought brings us again to the theory that he was the "Mr. Clark, Volunteer," who served at Bunker Hill with the Fifty-Ninth and was wounded. It would have been a striking and romantic tale if the disgraced lieutenant of Marines should have thus redeemed himself.

But our Clarke did not redeem himself, for he never regained his commission. And if he sailed in the *Cerberus*, he sailed as soon as the ship, lying down the harbor on June 24, received Gage's despatches of the twenty-fifth,[2] while on July 13 is recorded a promotion of the Clarke who fought in the battle. Among the three Clarks in that list we find: "John Montague Clark Volunteer to be Ensign vice Wilkinson preferred."[3] This was in the Forty-Third Regiment, and the title "Volunteer" shows this to be a different man from our Marine. For by this time we have learned that a Volunteer, though not commissioned, had a definite place in the British army—not in the artillery, to be sure. I have shown elsewhere that the master-general of the ordnance refused to allow any "half-educated Lad, who has not made half his proficiency in theory, and never saw a Gun fired," to go out to Boston and stand in line for promotion.[4] But it was common in the infantry to let young men attach themselves to regiments

[1] These three passages (which can also be found under their proper dates in Graves's despatches in Ad. 1: 485 in the Public Record Office) I take from his MS. "Conduct" in the British Museum (Add. MSS. 14,038). This is numbered twice; the references are pp. 82 or 47v, 119 or 68, 120–121 or 68v–69. They can also be found in the transcript in the Massachusetts Historical Society under the dates of June 8 and 14. The "8" is, however, an error for "7," and the admiral gives it correctly in his second entry.

[2] Graves's despatches and his "Conduct" show that the *Cerberus* arrived from England on May 25, and that her return voyage was delayed in order that she might carry the account of Bunker Hill. As Gage's despatches were dated June 25, the ship doubtless sailed on the next fair wind.

[3] *Howe's Orderly Book*, p. 41.

[4] Cf. my *First Year of the American Revolution*, p. 96. Yet notice that the casualty list of Bunker Hill contains the name of a Volunteer in the Royal Artillery. Was he of old standing?

and, serving without rank or pay (though probably receiving rations and transportation), make themselves useful, and finally slip into vacant ensignships which no one stood ready to purchase. That this was more or less common, and consequently liable to abuse, is shown by the king's order on the subject at just this time: "It is the Kings positive Orders that no persons are returned on the Strength of any Regiment as Volunt[rs] except they are present and Actually able to do duty."[1]

Thus it is plain that John Montague Clarke (the name is spelled both with and without the "e"), serving as Volunteer with the Fifty-Ninth at Bunker Hill, had his wound salved by an ensignship in the Forty-Third.

As for our John Clarke, by following up the clue just found we can learn a little more of him, together with his companion in misfortune, Second Lieutenant William Wilkins, likewise of the Marines, and also very much of a veteran, for he was first appointed in 1760 and had spent some years on half-pay. Promotion long deferred had brought them both to drink. Searching in London, I found the report of the courts-martial, though unfortunately not the evidence. Clarke was the more serious offender. He was tried "for being very much in Liquor and unfit for Duty on the Morning of the 20th of last April, for breaking his Arrest, and for grossly abusing and challenging Lieutenant John Ragg of the Marines to fight." On the other hand, Wilkins was merely very much in liquor and unfit for duty. Consequently their sentences were unequal. Wilkins, "because of his general good Character while at Quarters, and of some favourable Circumstances," was merely "dismissed from his present employment of Lieutenant of Marines on board His Majesty's Ship Boyne." But Clarke was dismissed from the service.[2]

There is here something of a conflict of dates. The admiral wrote that the offence occurred on the nineteenth—of course in the afternoon—while the court tried the two men for misconduct the morning of the twentieth. Clarke must indeed have been very much in liquor if the drunkenness of one day lasted over into a fighting mood on the next. Wilkins must have sobered off, to his good fortune. For when he arrived in London, he was very promptly, by an order of August 15,[3] put on half-pay. But poor John Clarke, who deserved well of history if not of the king, had no such good fortune. For months he did not petition the Lords of the Admiralty,

[1] *Howe's Orderly Book*, p. 78, under date of August 28. Note that a Volunteer had no other title. On Gage's Bunker Hill list the Volunteers are all "Mr.," except for "Lieutenant Alexander Campbell, on half-pay." He was "late [of] Barre's," a unit that I cannot identify.

[2] Ad. 1: 485: 447–448, 451–452; or in Ad. 1: 5307, not paged, June 7 and 8.

[3] The captain of the *Cerberus* reported to Lord Dartmouth on August 2. Dartmouth to Gage, August 2, C.O. 5: 92.

perhaps because he knew that it was his last recourse, and that his chance was slight. What else he was doing to help himself I cannot guess: perhaps he was trying to appeal to the clemency of His Majesty. But at last, nearly a year later than his offence, he wrote to the Earl of Sandwich, First Lord of the Admiralty. The reply, from the whole Board, dated April 13, 1776, was complete and final:

> The Earl of Sandwich having laid before my Lords Commissioners of the Admiralty your letter of yesterday requesting that you may be put on the half-pay List the same having been done to Lieut. Wilkins whose case you quote as similar to your own: I have, in return, received their directions to observe to you, that in the case of Lieut. Wilkins, he was only sentenced by the Court Martial to be dismissed from *the Ship* he then belonged to whereas by the sentence of the Court assembled to enquire into your conduct you are directed to be dismissed from *the Service*, which entirely puts it out of their Lordships power to comply with your request.[1]

At this distance of time this seems harsh treatment. Technically, of course, everything was against Clarke. To be fighting-drunk and breaking arrest at the very outbreak of war, with the enemy (or so the general and admiral feared) likely to attack Charlestown, and the population of Boston ready to rise against the garrison[2]—this justifies dismissal from the service and (the sentence once passed) denial of half-pay. But the court-martial, held six weeks later than the offence, might have taken a more lenient view of drunkenness indulged in when war was not expected, nor any call to arms. Clarke had served, said the admiral, thirty-six years with great credit. Was there anything behind the severity of the verdict—antagonism long since roused by bitter talk or reckless disregard of authority? Apparently no one said of Clarke, as was said of Wilkins, that he bore a "general good Character" when at quarters. How rasping was Clarke's tongue, and how sneering his eye? And again, was this but one of a series of outbreaks? We cannot know. But what a shabby and humiliating end of all those years of service!

I have found nothing more to tell of Clarke's personal fortunes. He

[1] The answers to Wilkins's and Clarke's petitions are to be found in Ad. 2: 1169: 10, 274. I find little more about Clarke in the muster-book of his ship, the *Falcon* (Ad. 1: 8014), except the dates of his reporting for duty, and the fact that he was of Portsmouth. It is to be noted that Clarke, though a second lieutenant, was given first lieutenant's half-pay, as was Wilkins in 1775, though on the previous occasion Wilkins received only the half-pay of his grade. Further, Wilkins does not again appear in the Army Lists, either on half-pay or as restored to duty. Yet promotion in the Marines during the Revolutionary War was very rapid, as is shown in the Army Lists, proving that trained men were much wanted.

[2] Both Gage and Graves feared an attack on Charlestown, and Gage did not feel that he was quite safe in Boston till he had disarmed the inhabitants, late in April.

disappears, unless we care to guess what became of him. And we have read too much in Defoe and Smollett, Fielding and Thackeray, to speculate cheerfully on the fate of an elderly soldier, dismissed in disgrace, penniless, and already given to drink. Too readily we think of the sponging-house and the debtor's prison; too easily we can imagine Clarke's last embrace of his worst enemy and only friend, the bottle.

Concerning his book, it seems likely that it was written to relieve the tedium of his voyage to London, from such material as he could gather from his own observations and from the talk of the ship's company. The recent fearful carnage must have been in everyone's mind, and there may even have been wounded officers aboard to tell of their experiences. So Clarke patched everything together, which would account for the brokenness of his text. The story of some other officer who had seen Warren's death—or claimed that he had, and improved on what he saw—became Clarke's own. Howe's speech may have been based on some classic model from Clarke's ancient knowledge of Latin. Other such things Clarke threw in for good measure. We may imagine him leaving the deck of the tossing ship or the smoky mess-room to scribble in his cubby-hole the anecdote that he had just culled. Perhaps, as the book grew, he gained some hope of profit and credit. And on landing, not idle in an indifferent London, he must soon have made his way to the printer's with his manuscript on the battle, the first news of which was just then exciting the city and rousing a thousand questions. Though we now understand Clarke's ignorance of the real battle, we appreciate the journalism which brought into print this first book upon it.

And as for this book, Clarke's best, and indeed his only, achievement, did it not gain him something? While evidently it failed to secure for him the pardon and half-pay that would have made his life easier, it has nevertheless brought him a sort of half-pay immortality. For if Maeterlinck was right, and the grandparents of Tyltyl and Mittyl roused from their long sleep whenever their grandchildren thought of them, why may not the same thing happen to John Clarke? May it not be that whenever some modern opens Clarke's book to read it, or when we gather here to discuss him, he too stirs in his sleep and grimly smiles to know that while his comrades, more fortunate in life, rest forever forgotten, he at least is not yet quite dead?

Mr. ALBERT MATTHEWS presented a paper entitled:

Brother Jonathan Once More

THE history of our famous sobriquet was given to the Society in January, 1901.[1] In a satire printed in London in 1643, a churchwarden of St. Clement's, Eastcheap, is made to say: "Queene ELIZABETHS *Monument* was put up (at my Charge) when the *Regall Government* had fairer credit among us than now: and her *Epitaph* was one of my brother *Jonathan's* best *Poems*, before he Abjured the *University*, or had a thought of *New-England*."[2] Was that merely a nonce use of the term, or does it indicate that the sobriquet was then in colloquial use in England?[3] However that may be, no other example has been found in England until 1776; in which year it also first turned up in this country. As to the origin of the nickname, the accepted story in 1901 was that it had been applied in appreciation and affection by Washington to Governor Jonathan Trumbull the elder, of Connecticut. Both the negative and the positive evidence militate against that view. First, the story was never alluded to by either Washington or Trumbull; it was unknown to the contemporaries of either; and it was unheard of until 1846—forty-seven years after the death of Washington, sixty-one after that of Trumbull, and seventy-one after Washington took command of the American forces. Secondly, it is certain that in 1776–1783 the term was applied in mild derision by the Loyalists and British soldiers to those who espoused the American cause.

Thus the problem stood thirty-four years ago, at which time, apparently, no one had suggested that the term might have been known in this country before the Revolutionary War. Meanwhile, some fresh passages have come to light. In a letter dated Cambridge, March 17, 1776, William Allen wrote:

> Col Mifflin went with Two men down the Lines from whence the Men went over to the Enemies Camp on Bunkers Hill and Entred the Fort, found the Centinels to be Images dressed in the Soldiers Habit with Laced Hatts and for a Gorget an Horse Shoe with Paper Ruffles their Pieces Shouldred fixed Bayo-

[1] Our *Publications*, VII. 94–122, 125 note.

[2] *The Reformado*, p. 9. These "monuments" of Queen Elizabeth were erected in many English churches after her death. Cf. our *Publications*, VII. 102–105.

[3] If the latter, it might have come about as follows: the Puritans were given to bestowing biblical names on their children; a Puritan in England was satirically or derisively called "Brother Jonathan"; the early settlers in New England were mostly Puritans, and so the nickname followed them across the Atlantic.

nets with this Inscription wrote on the Breast (viz) Welcome Brother Jonathan.[1]

On March 21, 1776, Ezra Stiles made this entry in his diary at Dighton, Massachusetts:

I saw several Gentlemen who came out of Boston last Eveng. . . . They [the British] left Bunker Hill last Ldsday Morning 17th at Eight o'Clock, leaving Images of Hay dressed like Sentries standing, with a Label on the Breast of one, inscribed "Welcome Brother Jonathan."[2]

The next extract is of special interest, partly because it is of English origin, and partly because it dates certainly from 1776 and possibly from 1775. This is a satirical political print published in London, of which the title and a description follow:[3]

[1] For this extract I am indebted to Mr. Allen French, who tells me that the letter was written to Humphrey Palmer of Providence, R. I.; and that Allen and Palmer "were not soldiers (at least at this stage of the war) but merchants established in a general business in Cambridge and Providence."

On the same date (March 17, 1776) William Heath wrote: "In the morning the British evacuated Boston; their rear guard, with some marks of precipitation. A number of cannon were left spiked, and two large marine mortars, which they in vain attempted to burst. The garrison at Bunker's Hill practised some deception to cover their retreat. They fixed some images, representing men, in the places of their centinels, with muskets placed on their shoulders, &c. Their immoveable position led to the discovery of the deception, and a detachment of the Americans marched in and took possession." *Memoirs*, p. 43.

This extract was not quoted in my original paper for the obvious reason that it is not relevant to the term under discussion since Heath failed to give the label. But it corroborates the presence of the images and so is pertinent. My guess is that Heath considered the label "beneath the dignity of history," or else did not have sufficient sense of humor to record an epithet then regarded as uncomplimentary.

[2] *Literary Diary*, II. 2. Quoted in my former paper, but repeated here for comparison with Allen's letter.

[3] *Catalogue of Political and Personal Satires preserved in the Department of Prints and Drawings in the British Museum*, V. 218–219, No. 5329. This volume, edited by Dr. Mary Dorothy George, covers the years 1771–1783. Both the prints between which No. 5329 is placed are dated March 1, 1776. Mrs. George says (pp. xix–xx, 218–219): "1776 is noteworthy for two of the few anti-American satires, one a crude and ill-timed print on the American entrenchments near Boston (No. 5329), which incidentally illustrates the fact that at the beginning of the war Putnam was the best known (in England) of the American commanders. . . . The artist appears to have been ignorant of Washington's appointment, 15 June 1775, as commander-in-chief. He took over the command of the troops round Boston on 3 July 1775, superseding not Israel Putnam (appointed fourth major-general June 1775) but Artemas Ward. . . . One of the few satires hostile to the Americans, cf. Nos. 5401, 6288." The size of the print is 8 x 9⅝. Through the courtesy of Mr. Allen French it is here reproduced from a photograph, probably the only one in this country.

Mrs. George kindly writes me: "I think it extremely likely that No. 5329 was prepared at the end of 1775 for publication early in 1776. I have run across instances of prints dated with the year only where I suspect this to be the case—but this is only conjecture. The allusion to Putnam also suggests an earlier date than March 1, 1776; but

THE YANKEE DOODLES INTRENCHMENTS NEAR BOSTON 1776

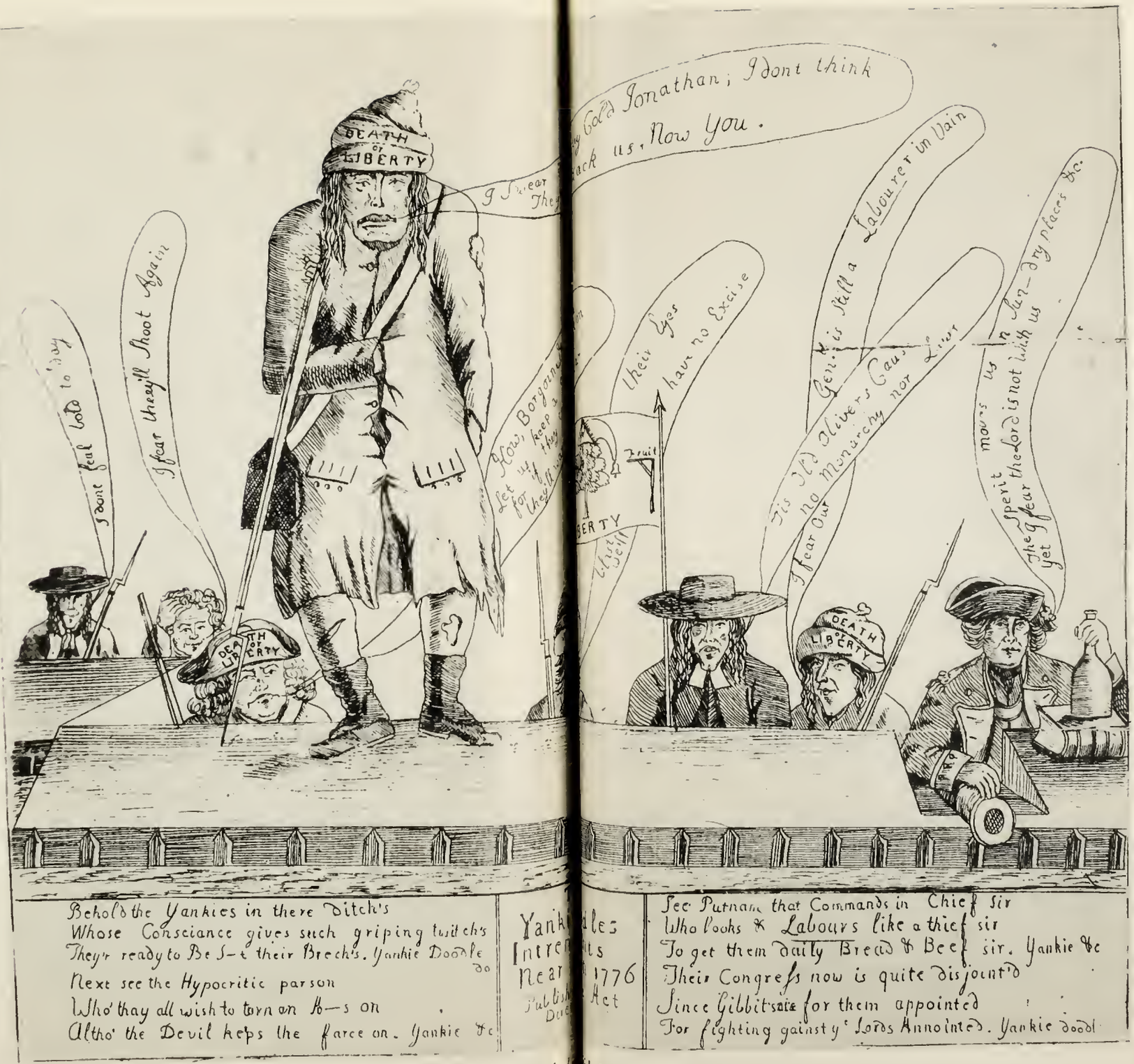
Publish'd as the Act Directs

Engraving. Behind a well-made trench, fronted with palisades, appear the heads of its defenders; words issue from their mouths in long labels. One man stands on the top of the trench, his cap is inscribed *Death or Liberty*,[1] his coat and stockings are ragged, and he stands as if shivering with cold, his bayonetted musket tucked under his arm and pointing downwards; he says *I swear its plaguy Cold Jonathan; I don't think They'll Attack us, Now You.* The other men, whose heads and shoul-

the only thing we can say with certainty or truth is that it was published before news of the evacuation of Boston." She adds that this allusion to Jonathan is "the only one that I have run across, and I have now dealt with prints in this collection up to the end of 1792." To a similar effect Professor Leonard W. Labaree, who called my attention to the above book, writes: "I take it the print was made either very late in 1775 or early in 1776. Certainly before news reached England of the evacuation. From this it seems clear that the term Jonathan for a New Englander had become sufficiently well known in England before the Boston evacuation for it to be used in a print intended for public sale. This, of course, simply goes to confirm your theory of a fairly wide use of the term much earlier than any important service of Trumbull to the Revolutionary cause." In 1880, Nathaniel H. Morgan wrote: "The phrase 'we must consult Brother Jonathan,' used by Gen. Washington when he first took command of the army at Cambridge, was so often uttered by him afterwards, that it became a by-word among his staff, and spread through the army and the country." *Early Lebanon*, p. 85. On his way from Virginia to Cambridge Washington passed through Hartford, but he and Trumbull did not then meet. Their correspondence, which began in July, 1775, was of slight importance until the spring of 1776. Leaving Boston on April 4, 1776, Washington went to New York by the "shore line," and the two men met on the eighth at Norwich. Cf. 5 *Coll. Mass. Hist. Soc.*, IX. 517–518; X. 1–11.

[1] Here the satirist appears to have made a slight slip and should have said "*Liberty or Death.*" On December 27, 1775, when preparations for storming Quebec that night were made but had to be postponed because "the weather cleared away serene and bright," Isaac Senter, the surgeon of Arnold's expedition against Canada, wrote: "For a mark of distinction each soldier was ordered to procure a fir sprig, and fix it in front of their caps, whereby they might be discriminated"; and again on December 31, the day of the actual assault: "To discriminate our troops from the enemy in action, they were ordered each officer and soldier to make fast a piece of white paper across their caps from the front to the acmé of them." "Journal," *Bulletin of the Historical Society of Pennsylvania*, I. 32, 33. In a letter dated Quebec, May 14, 1776, to a friend in Glasgow, the anonymous writer said: "The rebels had slips of paper pinned to their caps, with the words *Liberty or Death!* wrote on them." *Pennsylvania Archives*, Second Series, II. 57. In 1897, a writer, describing the dress of the Virginia riflemen under Morgan who served in Arnold's expedition, said: "On the part of their shirts covering the breast are the words of Henry 'Liberty or Death.'" *Essex Institute Historical Collections*, XXXIII. 253. Patrick Henry's famous words—"I know not what course others may take, but as for me, give me liberty, or give me death!"—are said by William Wirt (cf. M. C. Tyler, *Patrick Henry*, pp. 128–133) to have been uttered before the Virginia Convention in March, 1775; but the phrase "Liberty or Death" had doubtless for a decade been a commonplace on the lips of Americans, since the last two lines in Act II, Scene iv, of Addison's *Cato*, acted and published in 1713, read:

> "It is not now a Time for aught
> But Chains, or Conquest; Liberty, or Death."



Reproduced from the original [illegible] *Museum (slightly reduced)*

ders only appear above the trench, say (l. to r.): *I don't feel bold*[1] *today* (the speaker is dressed as a minister, with flat hat, lank hair, and bands). His neighbour says, *I fear they'll Shoot Again; . . . .* Another man wearing a *Death or Liberty* cap, says, *I fear our Gen*[ll] *is Still a Labourer in Vain.*

Beneath the design is etched . . .

See Putnam that Commands in Chief sir
Who looks & Labours like a thief sir
To get them daily Bread & Beef Sir. Yankie &c.

Fourteen years after the close of the Revolutionary War, a heated controversy over Timothy Pickering[2] took place in two Boston newspapers, one a high Federalist sheet, the other an equally rabid Republican sheet. In the *Columbian Centinel* of March 29, 1797, appeared this communication:

I am one of those who think our rank Jacobins bear a striking resemblance to the rank Tories of 1774 and '75. The latter were more inclined to attack persons than principles, and bent their whole force to ridicule. They were fonder of low blackguardism than argument, being quite equal to the one, and unequal to the other. That our Jacobins are exactly in that way, may be seen in almost every page of their *darling paper*, printed in this town. Personal abuse has so long been kept up, there, and in so dull and monotonous a style, that it has quite lost its effect, if it ever had any. But there is one singular species of blackguardism, which has marked that paper and another at the southward, that is really worth noticing for the amusement of the public, for otherwise it is too stupid, flat, contemptible and ridiculous to merit serious notice.—I mean, *italicising* and CAPITALIZING the name of "*Timothy*," when they speak of the Secretary of State, thereby insinuating that there is something ridiculous, or odious, in his very name. How exactly parallel is this with the spirit of the Tories in '74 and '75! They conceived something very low and ridiculous in the name of "*Jonathan*" because it was a very com-

[1] A song printed in the *Royal Gazette* (New York) of October 3, 1778, contains the line, "And Jonathan *felt bold Sir.*" The letters and squibs of the period frequently allude to the Americans as "feeling bold," and the Loyalists appear to have regarded it as a huge joke; but the exact significance of the phrase is obscure. Perhaps an extract from "Observations on the Government account of the late action near Charles Town," which appeared in an English magazine soon after the battle of Bunker Hill, may give a clue to the origin of the phrase. The writer, it need scarcely be pointed out, was friendly to the Americans:

"But, 'this action has shewn the superiority of the King's troops.'—Has it indeed? How?—'Why they (with a proportion of field artillery, and with the assistance of ships, armed vessels, and boats, and with the encouragement of certain and speedy reinforcement if necessary) attacked and defeated above *three* times their own numbers.'—What *three times* their own numbers? Of whom, pray? Of French or Spanish Regulars?—No, of the Americans—Of the Americans! What, of these dastardly, hypocritical cowards, who (Lord Sandwich knows) do not *feel bold* enough to dare to look a soldier in the face!" Almon's *Remembrancer*, 1775, I. 135.

[2] In the War of 1812 "Uncle Tim" was a frequent target for ridicule by the Democratic press. Cf. "All Tories Together," our *Publications*, X. 139–140.

mon one in New-England and was taken from the Bible. A *Jonathan* and a New-Englandman, were with them synonimous. They detested (as well they might) the very name. The case is exactly similar with our Jacobins as may be seen in almost every late number of the *Chronicle*, *Aurora* and *Argus*.[1] "*Timothy*" is there printed in *italics*, and is meant to be read with a sneer, as their kindred formerly did the word "*Jonathan*," and from the very same principle too. That the Jacobins ridicule and detest the *name* of *Timothy* is a fact, but the *cause* of it may need explanation. First, it is taken from the holy scriptures, which their great champion and apostle *Tom Paine* has declared to be a pack of damd'd nonsense and a fair object for ridicule in this *age of reason*. Secondly, *Timothy* was a Bishop, and must of course be a knavish aristocrat, although *St. Paul* calls him his son. Besides he was such a fool as to suffer martyrdom, for the sake of the christian religion; that is to say, he was a friend to order and good government, and the Jacobins of his day put him to death. But over and above all this, there is something in the very meaning of the word *Timothy* no ways congenial to the turn, cast, temper, and disposition of these regenerated sons of *Tom Paine*, and therefore contemptible. It signifies in the greek, "*the honour of* GOD," or a *name precious to* GOD, reason sufficient for *some people* to hold it up to scornful derision. They, therefore *italicize it*, and CAPITALIZE it, and read it, as it is well known they do, with the sneer of ridicule and emphasis of derision.

Principles, measures, and conduct are fair game for public good and manly discussion: But *personalities* are odious. They indicate qualities of the heart and head, no how to the credit of those who deal in them. They show the strength of malice and the weakness of reason, and serve only to remind us of a law of nature among the brute creation, namely, where she denies strength she gives venom, as is exemplified in serpents, spiders, toads, bed-bugs, musquetoes, vipers, and mother *Carey's chickens*. A YANKEE.

On March 30, the *Independent Chronicle*, the "darling paper" of the Republicans, took up the cudgels:

It is a question of importance to know what will suit the Aristocrats. It appears the mode of mentioning Mr. *Timothy* Pickering is disgusting—They don't like to find his name *italicized*, or CAPITALIZED—This distinction of Mr. *Timothy*, was made by way of *eminence*. All *great Characters* are thus noticed; when the PRESIDENT is mentioned in the Centinel, it is generally in capitals.—When GEORGE the Third, King of *Great*-Britain, FRANCE, and Ireland, is mentioned, we find his name in the British papers displayed in capitals—when the *French ships of the line*, are named in the Centinel, it is in *italicks*. Now if Mr. *Timothy* Pickering is thus PRE-EMINENTLY noticed, equal with the President, George the Third, and the French ships of the line, what can be the reason that the Chronicle is thus blamed?—He is a great character, and, as such, is marked with an emblem of *distinction*—either in *italics*, or CAPITALS as suit the respective writers. As to the *Scripture Timothy*, we respect his character, though

[1] The Boston *Independent Chronicle*, the Philadelphia *Aurora*, and the New York *Argus*.

Thomas Paine may be opposed to him. But as Timothy *in scripture* was never called *Mr.* it is possible the Aristocrats are against having *this title* annex'd to *Timothy* Pickering, but wish that in future the appellation should be *plain Timothy*. We wish not to dispute about trifles, but we greatly wonder that any man, particularly a *real Federalist*, should be so wounded at placing Mr. *Timothy* Pickering in a *conspicuous* point of view, in any observations on his official conduct. "Jonathan" it is true in the year '70 was sometimes used by "way of derision," but no American felt injured by this appellation, no more than he did by being called a *Yankee*, a *Joe Bunker*, or a *leather-button Curse*, &c.[1] The *Tories* did not like the terms, but the Whigs gloried in the *distinction*.

Timothy Pickering is certainly a GREAT *Man*, and every great man ought to be noticed by some *expressive designation*, and whether we *italicize*, or CAPITALIZE, is but of little consequence, for he is a great man, and an honorable man, and his performances shew him to be such, let the writers in the *Centinel* endeavour to *belittle* him as much as they please.

And on April 6 the *Independent Chronicle* returned to the charge:

The writers in the Centinel found fault that Mr. *Timothy* Pickering was italicized & capitalized. But in the account of the Spanish and English engagement, we find that the *capture* of the Spanish ships are CAPITALIZED. This shews that whatever suits the British is a *capital* subject for the Centinel, but what helps the French is too contemptible to be even italicized. Mr. *Timothy* will hereafter be noticed in *italics* only.

Occasionally it can be asserted with confidence that a certain word or term was first used on or about a certain date, but for obvious reasons such instances are rare.[2] The statement of the 1797 writer that in 1770 "Jonathan" was "sometimes used by 'way of derision' " may well be true, for

[1] During the Revolutionary War Americans evidently did feel "injured" by "Jonathan," and certainly they did not "glory" in "Yankee" until after April 19, 1775. In a letter written from Boston in 1777 by William Gardiner of Gardiner, Maine, there is an allusion to "a Joe Bunker justice." *Boston Transcript*, November 12, 1910. The first line of "A New Song," printed in the *Massachusetts Centinel* of July 11, 1787 (p. 131), reads: "Huzza, my joe-bunkers! no taxes we'll pay!" I do not know exactly what the term means. The expression "a leather-button Curse" is new to me, and its meaning escapes me.

[2] In the *Annual Report of the Street Laying-out Department for the Year* 1896 (p. 279) it is stated that the name of King Street, Boston, was changed to State Street in 1784; but there is an allusion to State Street on August 28, 1782, and another to "State Street now so called" on March 25, 1783. *Boston Records*, XXV. 190–191; XXVI. 303. Evidently the new name was used colloquially before it was officially adopted; but there could hardly have been a State Street in this country before July 4, 1776. The name of Long Lane, Boston, was changed to Federal Street in 1788 (*id.*, XXXI. 179); and there could hardly have been a street of that name before 1787. The verb "to burke" originated on January 28, 1829, which was the very day on which William Burke was executed. The word "boycott" first appeared in the autumn of 1880. But it is seldom that a word can be traced to its very birth.

the introduction of such a word is not likely to have been due to any specific event. Nevertheless, as yet the word has not been found before 1776. However, in 1815 John Harriott related an amusing story:

In the year 1765, I went out to Boston as second-mate of the Mary, Captain D——n:[1] . . . From my friend D——n I was well informed, during the passage out to Boston, of the over-zealous puritanic strictness of the place; and among other things, that from sun-rise to sun-set on Sundays, no person was permitted to go from house to house, or walk the street, (except going to or from a place of worship,) without being liable to a fine, punishment, or exposed to public shame. . . . In confirmation of this, my friend D——n related the following anecdote:—

Captain M——e[2] of the royal navy, who was well known under the title of Mad M——e, commanded, some years before, a frigate on the Halifax station: whilst lying at anchor in Boston harbour, he was rowed to the town in his barge

[1] John Harriott (1745–1817), of whom there is a notice in the *Dictionary of National Biography*, had a varied and interesting career in several parts of the world. Recollections of events of half a century earlier must always be received with caution, if not suspicion. Harriott says that he came to Boston in 1765 in the *Mary*, commanded by "Captain D——n," thus providing three tests as to the accuracy of his memory. A list of "Port Arrivals—Immigrants" from March 16, 1763, to August 14, 1769, is printed in *Boston Records*, XXIX. 245–317. "Captain D——n" must have been one of the following: Ephraim Dean, James Dean, John Dean, William Dean, William Deverson, William Deverson, Jr., George Diamond, Thomas Dimond, —— Doan, Nathaniel Doan, Seth Doan, John Dunn, Nathaniel Dunn, Richard Dunn. This embarrassment of riches makes it impossible to say which of the fourteen it was under whom Harriott served as second mate. But the name of Harriott's vessel gives the clue. The following *Marys* arrived in Boston in 1763–1769: sloop *Mary*, Chars. Andrews, from Connecticut, October 17, 1763 (p. 251); schooner *Mary*, Theop[s] Simonton, from New York, May 14, 1764 (p. 256); ship *Mary*, William Deverson, from London, June 25, 1764 (p. 257); schooner *Mary*, Caleb Hopkins, from Martinico, July 23, 1765 (p. 267); and schooner *Mary*, Thomas Mitchel, from Newfoundland, October 28, 1765 (p. 272). Thus only one *Mary* was a "ship," only one *Mary* came from London, and only one *Mary* was commanded by "Captain D——n:" namely, the *Mary*, William Deverson, which entered June 25, 1764. The *Boston Evening-Post* of Monday, June 25, 1764, stated that "Last Saturday Evening arrived here Capt. Deverson in 9 Weeks from London"; and in the issue of July 2 was advertised the sale of books "*Just Imported in the* Mary, *Capt.* Deverson." Though the *Mary* arrived Saturday evening, June 23, it would probably have been a violation of the Sabbath to allow her passengers to land, and her entry was not recorded until Monday the twenty-fifth. That was Captain William Deverson's first and only voyage with the *Mary;* but he arrived here on September 11, 1765, with the ship *Thomas and Samuel* from London (p. 270); on February 4, 1766, with the ship *Britannia* from London (p. 275); and with the same ship on September 23, 1766, October 16, 1767, and September 23, 1768 (pp. 284, 298, 308). And he was also here with the *Britannia* in July, 1771. *Id.*, XXIII. 92–95. Thus Harriott was correct as to the names of the ship and its captain, and was only one year out in the date of his voyage. Captain William Deverson was from "the old country," and so would have particularly enjoyed retailing jokes at the expense of New Englanders.

[2] Several naval officers named Montagu (Montague) served in American waters in the eighteenth century. This one, Mr. Allen French tells me, was the Hon. William Montagu (1720?–1757), younger brother of John Montagu, fourth Earl of Sandwich, the latter of whom in 1763 was given the opprobrious nickname of "Jemmy Twitcher."

on a Sunday in the forenoon, to wait upon the governor; his men neatly dressed in uniform with white shirts and black caps: upon his landing, . . . Captain M——e was accosted by some of the elders, who expressed their sorrow at his having broken the sabbath: but as the law made no distinction as to persons so offending, he and his boat's crew must submit to them. The captain, desiring information as to the law, was told, that, as they transgressed during divine-service, he and his boat's crew might make their election either to be denounced as prophane idlers at the first place of worship, pay the pecuniary penalties, or be placed in the stocks. . . . To the stocks they accordingly went; the sailors highly enjoying the fun, of being placed in limbo with their captain, passing it off in this jocular way.

But the next day, once the "fervor of religious discipline" had cooled, having

considered that it was a king's officer they had been thus chastising for an offence under their municipal law, to which he was a stranger, and from his rank, and the duties of the service he was on, might not be amenable, . . . a deputation of the elders, &c. waited on Captain M——e at his lodgings, deeply lamenting the occurrence, and sincerely hoping he would not harbour any resentment against the town on account of its laws.

M——e assured them that he thought it "a genuine good frolic," and to convince them of his forgiveness invited the deputation to dine on board his frigate a few days after. What with the "enlivening juice of the grape, and its merry companion, punch," their animal spirits were raised so high that they relaxed "much of their puritanic rigidity; and began to grow a little frolicksome and jocular." The captain having gone on deck, a lieutenant "put the glass about briskly," with the result that "some of the select men conceived that the ship had a strange motion, and inquired if the weather was not getting stormy," whereupon one of them declared that "he would go *up stairs* to see." There he ran "against an officer who was walking the deck with the captain."

A slight motion of the ship, with the sudden change of air from the cabin, made it difficult for him to stand without holding; much less could he attempt walking alone; catching hold of the captain's arm, he addressed him, "Why, noble captain,

Cf. *Proc. Mass. Hist. Soc.*, LXII. 180 note 1. Not wholly accurate is the notice of Captain Montagu in the *Dictionary of National Biography*, where it is stated that, getting into difficulties with Sir Peter Warren in the West Indies, he was in the *Eltham* "carried to New England, where, after he had been seven months under arrest, he was promoted by Warren to the post-ship *Mermaid* on 23 May 1745." Warren did sail for Boston, having sent word to his wife (who was an American) to meet him there, but on the way he was intercepted and informed that the expedition against Louisbourg had already sailed, and so he changed his course and made directly for Canseau. Cf. Francis Parkman, *A Half-Century of Conflict*, II. 103. After the capture of Louisbourg, Montagu was dispatched to carry the news to England, and thereafter remained in European waters; nor, so far as I can ascertain, was he ever on the Halifax or any other American station.

I swear, you are as wily as the old serpent, you;—(*hiccup*)—and that crafty toad you left in your place has been—(*hiccup*)—leading us into mortal temptation; whe-ew, Lord bless me! how the ship whirls round, and what a—(*hiccup*)—rebellion in my bowels!" The captain, withdrawing his arm from cousin Jonathan, (as sailors call all New-England men,) expressed surprise and sorrow, to see any gentleman in such a state of intoxication, on the quarter-deck of a king's ship; the well-known laws against which being broken, he could make *no distinction* as to persons, and the offender must submit accordingly; then, ordering the boatswain to tie Jonathan up, and give him a civil check, (a term given by sailors to one dozen strokes with the cat o' nine tails,) he was lowered over the ship's side into a boat, with strict orders to take good care of the gentleman.[1]

And thus was each visitor treated as he came on deck. Harriott is careful to add: "My readers are desired to bear in mind, that the foregoing is related merely as a tale that was told."[2] What importance is to be attached to Harriott's statements about the term in question? No other writer asserts that the sobriquet was a common one among sailors; and obviously, though the word may have been in use "some years before" 1765, an account not printed until fifty years later cannot be accepted as proof. On the other hand, a Bostonian declared in 1797 that Jonathan was used here in 1770; it was certainly used in both Old and New England in 1776; there is *a priori* no reason why it may not have been current a decade or so earlier; Harriott was, as a midshipman in the British Navy, in New York, Halifax, Newfoundland, and the West Indies before his voyage to Boston in 1764; his memory of that voyage was substantially accurate; about 1766 he was in New York Province, where he lived for nearly four months among the Oneidas and Tuscaroras; he also travelled extensively here in 1793–1795, bought a farm in Rhode Island and later one on Long Island, New York; and did not finally leave this country until 1795, when he "crossed the Atlantic for the fourteenth time."[3]

Some remarks on Jonathan both as a personal name and as a name for a ship will not be inappropriate. In 1809, Edward Augustus Kendall, an Englishman who had travelled extensively in New England, wrote in reference to Connecticut:

[1] *Struggles through Life* (3d ed., London, 1815), I. 138–146. This work went through the following editions: London, 1807 (in two volumes); London, 1808 (second edition, in two volumes); Philadelphia and New York, 1809 (in two volumes, from the second London edition); London, 1815 (third edition, in three volumes). The story is told in the seventeenth chapter of the first volume of the 1815 edition, which fills pp. 135–155, and is not found in any of the earlier editions, in each of which the chapter contains only about two pages. In it are also allusions to "Jonathan," "our Brother Jonathans," and "Brother Jonathan" (I. 149, 152, 153).

[2] This story in one form or another can be traced from 1674 to 1931.

[3] *Struggles through Life*, I. 15, 20, 23, 30, 119, 162–171; II. 113, 347; III. 33.

Stopping for a short time in Willington, the town that lies between Windham and Stafford, and asking for something at an inn, the mistress called upon *Minerva* to fetch it; and I afterward found that names, of this and other profane origin, are common among the female part of the community in New England; while those borne by the male are almost uniformly scriptural: a few of the old puritanic inventions remain; as *Return, Increase,* &c. but Elizur, Abner, Jared and Enoch, are among the most common; always saving *Jonathan,* which is known to be synonymous with *New England.*[1]

Certainly many names, both male and female, were scriptural, but that those "borne by the male [part] are almost always scriptural" is too strong a statement. And as for Jonathan, was that a particularly common name in New England? There were 39 Jonathans among the 1,733 graduates of Harvard College in 1642–1750, the proportion being 1 in 44.[2] Of course, even assuming that my count is accurate, the proportion of Jonathans in the New England population at large may have been much greater than among Harvard graduates.

Before leaving Kendall, one striking fact should not be overlooked. It will be recalled that the younger Jonathan Trumbull was governor of Connecticut from 1798 to his death in 1809. Kendall apparently nowhere mentions Jonathan Trumbull the elder, but of the younger he said: "In Lebanon is the modest mansion of His Excellency Governor Trumbull, in whom an unassuming, gentlemanly and prepossessing deportment is united with a sound understanding and decided plan of action"; and he went on to commend Trumbull highly for his public acts.[3] Yet not one word is uttered about the alleged tradition in the Trumbull family. Negative evidence must always be received with caution, but had the tradition been in existence in 1809, it is difficult to believe that Kendall would have failed to speak of it.

Vessels called *Jonathan* are referred to in 1600;[4] in 1619, carrying passengers to Virginia;[5] in 1625, when Lord Baltimore, intending "a journey to Newfoundland," hired "the ship called Jonathan now in the River [Thames] for the transportation of myself and such plants as I carry with me. But I understand she is stayed for the King so I must give

[1] E. A. Kendall, *Travels,* I. 315–316.

[2] Out of 444 graduates in 1642–1700, there were 10 Jonathans, of whom certainly two (Jonathan Mitchell of 1647 and Jonathan Burr of 1651) and perhaps a third (Jonathan Ince of 1650) were born in England. There was no Jonathan in 1652–1674, the fourth of that name being Jonathan Russell of 1675. Out of 1,289 graduates in 1701–1750 there were 29 Jonathans, or 1 in 44 also.

[3] Kendall, *Travels,* I. 312–313; cf. p. 157.

[4] *Calendar of State Papers, Domestic,* 1598–1601, p. 425.

[5] *Records of the Virginia Company,* I. 269, 337, 409, 430, 509.

place";[1] in 1625, in the expedition against Cadiz and later in Ireland;[2] in 1626, "the Earl of Warwick's ship";[3] in 1639, carrying passengers to New England;[4] in 1651, "from Barbados";[5] in 1690, in the expedition against Canada. Clearly New England was not particularly in the minds of those who named these vessels.

Pre-Revolutionary examples of "Jonathan" in our modern sense of "rube" are greatly to be desired. A satirical letter on weather predictions dated "*Sagadahock, Nov.* 5. 1743," signed "Jonathan Weatherwise," was printed in a Boston magazine in that year.[6]

Finally, attention should be called to a recent discovery not without literary interest. In 1901, I stated, following previous writers, that Royall Tyler's *The Contrast* was written in 1787, was first performed in New York on April 16, 1787, was first printed in 1790 at Philadelphia, and that in it, "under the name of Jonathan, the stage Yankee made his first appearance in literature." The last two words must now be changed to "in American literature," for in a "comic opera"[7] written in 1785, acted in 1786 in Dublin, and printed in 1788 in London—thus being earlier in all three respects than Tyler's play—there was presented a similar character under the slightly different name of "Jonathen." The dedication "To Richard Daly, Esq., Patentee and Manager of the Theatre-Royal, Dublin," reads in part:

> You remember that it was originally written and presented to you in the winter of 1785, as an *After-Piece*, acknowledged to be suggested from a little French Drama of one Act, without songs (intitled, *L'Heureuse Erreur*), and that in borrowing the idea I totally altered and augmented the dialogue, incidents, and situation of *that* plot, and, for the first time, attempted the introduction of a *Yankee* character on the European stage.[8]

[1] D. W. Prowse, *History of Newfoundland*, p. 132. The writer of the letter was Sir George Calvert, who had been created Baron Baltimore the month before.

[2] *Boteler's Dialogues* (1929), p. xiii.

[3] *Calendar of State Papers, Domestic*, 1625–1626, p. 493. Apparently this, too, was in the expedition against Cadiz. It is not quite clear whether there were two vessels of the name in that expedition or only one vessel.

[4] *New England Historical and Genealogical Register*, XXXII. 407.

[5] *Calendar of State Papers, Colonial, America and West Indies*, 1574–1660, p. 367.

[6] *American Magazine*, I (November, 1743), pp. 107–111.

[7] *A Match for a Widow: or, the Frolics of Fancy. A Comic Opera, in Three Acts. As performed at the Theatre-Royal, Dublin.* London, 1788. "SCENE, *the Castle and Village of Bloomingdale*," presumably Ireland. For knowledge of this play I am indebted to Mr. Charles E. Goodspeed, who sold me a copy about twenty years ago. There is a copy in the Boston Public Library.

[8] The author goes on to say that Daly and others "earnestly recommended and urged me, instead of confining it to an after Musical Piece, to extend the design to a compleat

"Jonathen" is the servant of Belmor, recently returned to Ireland, after his American campaign, and in the first act the latter explains: "You will be surprised perhaps at my keeping such a simpleton—but he is a brave honest loyalist that attached himself to me in America—and having lost his all in our cause, and knowing his integrity, I bear with his ignorance."[1] There is so close a resemblance, and so marked a contrast, between Tyler's Yankee character of "Jonathan" and the Irishman's Yankee character of "Jonathen," that it would almost seem as if one author must have been familiar with the play of the other; yet the dates apparently make that notion impossible; and though Tyler could have read the other's play in 1788, that was a year after his own play had been acted.

The anonymous creator of "Jonathen" was Joseph Atkinson,[2] a re-

Comic Opera by the assistance of new characters and an under-plot"; that "in the course of the week I again presented you, and read the Opera in its present state"; that it was then "transmitted to *Mr.* [Charles] *Dibdin* in London, who embellished it with his harmony"; and that "with the ornament of new scenery and dresses, and the then musical strength of your company, you in the spring of 1786, gave it a fair trial before an Irish audience."

[1] *A Match for a Widow*, p. 12.

[2] In 1762, there were two Joseph Atkinsons in the British Army. One was commissioned an ensign in the Eighty-Sixth Regiment of Foot on June 26, 1761, and a lieutenant in the same regiment on May 17, 1762; but he left the regiment, and presumably the army, on December 9, 1762. That Eighty-Sixth Regiment is not to be confused with another regiment of the same number, raised in 1793. *British Army Lists*, 1761, p. 152; 1763, pp. 152, 241; R. Trimen, *Regiments of the British Army*, p. 131; J. S. Farmer, *Regimental Records of the British Army*, p. 200.

Of the other Joseph Atkinson (1743–1818), who was the author of *A Match for a Widow*, the *Dictionary of National Biography* says that he "served in the Army until he obtained a captain's commission," which doesn't tell us where he served and is slightly inaccurate, since he remained in the army four and a half years after obtaining his captaincy. (Besides the references in that work, there are glimpses of Atkinson in Lionel Stevenson's *The Wild Irish Girl: The Life of Sydney Owenson, Lady Morgan.*) Atkinson's rank in the army dated from March 4, 1762, when he was commissioned a lieutenant in the Eighty-Sixth Regiment of Foot, which, raised in 1759 and disbanded in 1763, was stationed in Senegal, Africa. In 1763–1768 he was on half-pay, but on February 4, 1768, he was commissioned a lieutenant, and on May 25, 1772, a captain in the Forty-Sixth Regiment of Foot, which was stationed in the West Indies in 1762–1764, on the American continent in 1764–1767, and in Ireland in 1767–1776. Early in 1776 the Forty-Sixth Regiment embarked from Ireland; arrived on the coast of North Carolina early in April; landed at Cape Fear; on June 1 sailed with the expedition against Charleston; passed the Charleston bar, but could not capture the capital and so reëmbarked and proceeded to Long Island, New York. At the end of 1776 Atkinson sold his commission, as appears from an entry dated December 24: "46th. Regiment.—Hon. Lieut. Chetwynd, 52d. Regiment, to be Captain vice Atkinson, by Purchase 23d. Dec., 1776." *Kemble Papers*, 1. 429. By mistake, owing to the slow communication between New York and London, Atkinson's name is in both the London and the Dublin editions of the 1777 *Army List*, but in one copy of the latter that I have seen the name has been run through with pen or pencil. *British Army Lists*, 1763, p. 152; 1765–1768, under "Half-Pay. . . . Regiments, &c. Reduced or Disbanded, 1763"; 1769–1777, p. 100;

tired captain in the British Army who had served in Africa in 1762–1763, was on half-pay in 1763–1768, and had served in Ireland in 1768–1776 and in America in 1776. Even if he was in this country in 1776 only, he must, when the Forty-Sixth Regiment of Foot—of which the Hon. (later Sir) William Howe was the colonel from November 1, 1764, to May 11, 1775—was stationed in Ireland, have heard his fellow-officers swapping hundreds of stories at the expense of the provincials in general and New Englanders in particular, and so might have picked up idiosyncrasies of New England speech. At all events, it is at least satisfactory to have proof that Tyler's stage Yankee was not the first of the species.

R. Cannon, *Historical Records of the British Army*, pp. 17–25; Farmer, *Regimental Records*, p. 140. Whether after leaving the army Atkinson remained for a while in New York or returned immediately to Ireland is unknown; and, though he may have been in New England before 1776 or between 1776 and 1785, there is no evidence that he ever was.

February Meeting, 1936

A STATED MEETING of the Society was held, at the invitation of Mr. STEPHEN W. PHILLIPS, at the Club of Odd Volumes, 50 Mount Vernon Street, Boston, on Thursday, February 20, at three o'clock in the afternoon, the President, SAMUEL ELIOT MORISON, in the chair.

The records of the last Stated Meeting were read and approved.

The Corresponding Secretary announced the death of JAMES HARVEY ROBINSON, a Corresponding Member, on February 16, 1936.

The Corresponding Secretary reported the receipt of letters from Dr. ALBERT WARREN STEARNS, accepting Resident Membership; from Mr. REGINALD COUPLAND, accepting Corresponding Membership; and from Mr. ELDON REVARE JAMES, accepting Associate Membership in the Society.

Mr. ROBERT WILLIAM GLENROIE VAIL, of Worcester, was elected a Resident Member of the Society.

Mr. STEWART MITCHELL read the following note:

Two Winthrops and a Mouse

1640

THIS paper ought to be prefaced with two confessions. In the first place, there is no good reason for believing that only one mouse played a part in the curious episode to be discussed. The title of this paper might just as well have read "The Winthrops and Two Mice, 1640." The second confession is most embarrassing for the editor of that learned Society which might properly be called the older brother, or even the great-uncle, of the one whose members are gathered here this afternoon. This second confession simmers down to the alarming fact that the *Proceedings* of the Massachusetts Historical Society, as finally printed, cannot always be relied on for a complete record of what actually takes place at any given meeting.

For proof positive of this rather grave acknowledgment, you must go back with me to the stated monthly meeting of the oldest historical society in the United States which was held at seven o'clock in the evening at the

home of the Hon. Charles Francis Adams, at 57 Mount Vernon Street, with President Robert Charles Winthrop in the chair.[1] The precise date was February 12—not yet known as Lincoln's birthday, however, for the year was only 1857, and James Buchanan, still working over his inaugural address, was successfully pumping advance information as to the fatal Dred Scott Decision out of the supposedly superhuman members of the Supreme Court. At the conclusion of the routine business of the meeting, Mr. James Savage spoke on the character and the career of the Reverend John Allen, Harvard College 1643, son of the Reverend John Allen of Dedham, in the Bay Colony. Having completed his discourse on Allen, Mr. Savage circulated an original letter from Cotton Mather; whereupon various exhibits were produced—among others, the epaulets of George Washington—after which Charles Deane communicated his essay on "Thomas Hutchinson's Historical Publications," a learned treatise which occupies sixteen of the twenty pages given over to the printed report of this meeting. There the record ends, and there historians who stop at the sources would have to pause. So pausing, they would come short of the truth.

First we must look back almost three hundred years to 1640, when John Winthrop wrote the following paragraph in his Journal:

> About this time there fell out a thing worthy of observation. Mr. Winthrop the younger, one of the magistrates, having many books in a chamber where there was corn of divers sorts, had among them one wherein the Greek testament, the psalms and the common prayer were bound together. He found the common prayer eaten with mice, every leaf of it, and not any of the two other touched, nor any other of his books, though there were above a thousand.[2]

This interesting bit of information has aroused two kinds of comment: in the first place, it has provided a source of ridicule for those readers who find the sectarian discrimination of New England mice absurd. In the second place, it has called attention to the significant fact that only ten years after the *Arbella* landed and four years after Harvard College was founded, John Winthrop, Jr., had a library of "above a thousand" books at Boston. Poking fun at the Puritans is a much more ancient and honorable occupation than those who will resent it will allow. James Savage himself was not above indulging in this sport. When he came to the paragraph just now quoted, he let loose his heavy humor from its leash. Savage, of course, was working from the original manuscript, those three valuable volumes which the first John Winthrop left behind him when he died about the time the first Charles Stuart lost his head. Finding that the Porter-Webster edition of the Journal, published at Hartford in 1790,

[1] 1 *Proc. Mass. Hist. Soc.*, III. 131–150. [2] *Journal* (Savage ed., Boston, 1853), II. 24.

had omitted part of the text immediately following the miraculous story of the mice, Savage inserted a missing sentence as follows: "Quere, of the child at Cambridge killed by a cat." Then he set this footnote to the paragraph which has been quoted:

> Such an anecdote looks too much like superstitious belief in the relater. It is apparently introduced as a pointing from heaven against the service of the Episcopal church, but is susceptible of an harmless explanation: the mice, not liking psalmody, and not understanding Greek, took their food from another part of the volume. Our age will believe that the book, which alone was injured among a thousand, was fortuitously attacked by these humble mischief-makers. The succeeding paragraph, omitted by the former editor, is surely of equal value, whether true or not. If the cat had been in Winthrop's library, she might have prevented the stigma on the common prayer.

James Savage, it will be remembered, completed the first of his two editions of Winthrop's Journal in 1826. While he was making the transcription to which all those who have to wrestle with John Winthrop's handwriting pay full deference and devotion, he carried the second volume of the manuscript out of the building of the Society and into the office of his bank, where he could work alone. There it was burned up, by accident, on November 10, 1825. Thus Savage must always remain the last and best authority for what Winthrop actually wrote during the years for which the original manuscript is irrevocably lost. The year 1640 was one of these. We shall, therefore, never be able to know whether or not, by some strange chance, even the noble Savage nodded over his expert art of deciphering the deceptive handwriting of the first, if by no means the greatest, governor of Massachusetts. There the story must stand in print as long as men care to read it—and laugh or wonder at it.

Even the sober-sided James Kendall Hosmer, who edited the Journal for the *Original Narratives* Series, spared a footnote for this comment on the story of the sectarian mice: "The mice, like the men, in New England, Winthrop thinks were characterized by most aggressive dissent"; and then went on to quote the scornful remarks which Savage had put into his editions of 1826 and 1853. Not twenty years after Hosmer, that irritating outlander, James Truslow Adams, ventured an oblique gibe at men who could believe that the mischief of mice had the meaning ascribed to it by a founder of New England:

> While Boyle, Newton, and other founders of the new scientific age in England, were tracing the reign of law, the intellectual leaders of New England were engaged in gathering together collections of "remarkable providences," ranging in interest from the sudden death of a Sabbath-breaker to the evident marking for

destruction, out of a whole library, of a copy of the book of Common Prayer, by a mouse evidently brought up in the "New England way."[1]

In the meantime, however, the Massachusetts Historical Society had held at 57 Mount Vernon Street, on February 12, 1857, the stated monthly meeting which has already been described. We know that Speaker Winthrop presided at that meeting, and by great good luck we know a little more. Robert Charles Winthrop, it will be remembered, was the first cousin of William Henry Winthrop, of New London, who died in 1860. This Winthrop of New London was probably a hypochondriac and certainly a crank and a recluse, quite too conscious of the men from whom he came. He had gathered into his jealous hands the bulk of what is now the great collection of Winthrop Papers in the possession of the Massachusetts Historical Society. So far as these papers were concerned, the New London Winthrop had the interest of an owner of them; while the Boston Winthrop looked at them with the envious light of learning in his eyes. Speaker Winthrop was already planning his copious biography of their great ancestor in common, and the moment his feeble first cousin died, he managed to buy in the whole collection of the family papers and bring them back to Boston.[2]

The best reason for believing that the relations between these two first cousins were cordial is the surprising circumstance that when President Winthrop arrived at the home of Mr. Adams on the winter evening of the twelfth of February, he carried with him a small book. Exactly one week later he wrote the following words on a little piece of note-paper and pasted it into a volume which presumably did not become his property until three years later:

By the kindness of William H. Winthrop Esq. of New London, to whom this volume belongs,* it was exhibited by me, on the evening of February 12th, 1857, at the residence of Honorable Charles F. Adams, to the Massachusetts Historical Society, and the foregoing extracts from Governor Winthrop's History and Mr. Savage's notes, relating to the volume, were read by me to my associate members. Mr. Savage himself was present, and the re-production of the old book, in connection with the amusing superstition to which it had given occasion, excited not a little interest.

ROBERT C. WINTHROP,
President: Massachusetts Historical Society.

Boston, Massachusetts.
February 19, 1857.

*It afterwards became mine.

[1] *The Founding of New England*, p. 453.

[2] For the history of the Winthrop Papers, see the preface to *Winthrop Papers*, I (Boston, 1929).

Above this statement stands the notorious quotation from the first governor's Journal, clipped from the printed page and pasted into the volume, together with the jeering comment of nineteenth-century James Savage. The book which Speaker Winthrop brought to Boston in 1857 was the very volume at which a mouse (or mice) had gnawed two hundred and sixteen years before.[1] For over sixty years this book remained the private property of two generations of his descendants. Then finally, on December 12, 1924, Miss Clara B. Winthrop presented this precious relic to the Massachusetts Historical Society. By virtue of her generosity and the acquisitive piety of her grandfather, the facts of this local and sectarian sign from heaven can be examined in the cold and irreligious light of day this afternoon.

As soon as we begin to examine the evidence we find that it does not imply all that John Winthrop, Sr., seems to have wished to believe it did. It would be difficult to suppose that the governor was not serious: what humor there is in the Journal is unintentional on the part of its author. Bound together with vellum in this little volume are three publications, each issued separately: first, *The Booke of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church of England* (London, 1625); second, a New Testament in Greek (Geneva, 1610);[2] and third, *The Whole Book of Psalmes: Collected into English Meeter by Thomas Sternhold, John Hopkins, and others, conferred with the Hebrew, with apt notes to sing them withall* (London, 1626). These three publications, it will be noticed, could not have been put into one cover earlier than the date of the latest—1626. In the Journal, it will also be noticed, John Winthrop, Sr., did not list the three parts of this book in the correct order in which they are met with: the *Booke of Common Prayer* comes first, not last, and the "Greek testament" lies between the service-book of the Church of England and the metrical version of the Psalms. So far as can be gathered, John Winthrop, Jr., had his library in Boston at the time of the entry in the Journal; his father refers to him as "one of the magistrates," and, though the younger man temporarily returned to England in 1641, he did not settle in New London until 1646. Perhaps the governor had not seen the book to which he referred at the time he wrote his description of the incident which attracted his credulous attention. There is no

[1] Students of Winthrop's Journal will remember that the precise dates of the different entries are not always easy to determine. So far as can be discovered, the reference to the ravages of the mice was written about December 15, 1640.

[2] The Greek New Testament lacks a title-page, but at the foot of the last page (229) some former owner has written "Aurelia Allobrogum, Excudebat Petrus de la Roviere. M D C X." *Aurelia Allobrogum* is a very ancient name for Geneva. *Dictionnaire de Géographie Ancienne et Moderne*, pp. 134, 554–556.

means of knowing, but the responsibility for the miraculous report must rest on the reputation of one man or the other. The thousand and more books of John Winthrop, Jr., may have been at Ipswich; if such was the case, the entry in the governor's Journal was probably based on hearsay.

Nor did the mice, or the mouse, do all that either Winthrop, father or son, professed to believe. Let us look back for a moment at the precision of that statement: "He found the common prayer eaten with mice, every leaf of it, and not any of the two other touched. . . ." Instruments of heaven are naturally expected to do their work well. This book, however, fails to substantiate the passage from the Journal. The mice stopped nibbling at the pages of the *Booke of Common Prayer* at "The Thanksgiving of Women after Childbirth," and, leaving untouched all "The Psalmes of David, of that Translation which is commonly vsed in the Churches," which we call the Psalter, spared also four whole pages of what are called "Godly Prayers," at the end. It is fair to say that more than half the pages of the *Booke of Common Prayer* are complete: that is, twenty-six leaves (or fifty-two pages) show no harm whatever; while twenty leaves (or forty pages) can be supposed, with reason, to have been gnawed. It requires a stretching of imagination, moreover, to believe that both the services of "The Communion of the sicke" and "The order of the buriall of the dead" were not spared by the mice.

Nor can it easily be doubted that this is the book to which the governor referred in his Journal. Speaker Winthrop, his descendant and biographer, as well, did not question the fact, and James Savage, it will be remembered, was present at the home of Mr. Adams when this book was passed round. They who know anything about the character and manners of Mr. Savage cannot believe that he would have sat silent on that occasion if he had been suspicious of the accuracy or the propriety of any part of the proceedings during that February evening. The failure to record an account of the exhibit is to be explained most easily by William H. Winthrop's unwillingness to see either his name in print or any note of any one of his possessions.

There is still better evidence, however, for not doubting that this is the book described in the Journal, for it must have come into possession of some member of the Winthrop family before 1630. On one of the flyleaves is to be found the signature of Forth Winthrop, third son of the governor of Massachusetts. Forth was born in 1609, attended Emmanuel College, Cambridge, and died unmarried at Groton, England, on November 23, 1630. According to a letter which Mrs. Winthrop sent to his brother, John Winthrop, Jr., the death-bed of this young gentleman was

a scene of almost painful piety.[1] Thus, until 1630, the book probably belonged to Forth and was then brought over to New England in the baggage of his older brother. On the very last leaf of the volume, moreover, is the signature, "Martha Johnna." Martha Johanna was the daughter of Henry Winthrop, who was drowned near Salem soon after landing in New England, and Elizabeth Fones. This girl was born in England on May 9, 1630, and was brought over to her grandfather by the latter's wife in 1631. Although there is no time here to go into the almost modern and scandalous details of the career of her much-married mother Elizabeth (who became the wife of three men in turn and probably ought to have become the wife of a fourth), it seems likely that little Martha Johanna Winthrop was left to the care of her grandfather, the governor of Massachusetts, and her uncle, the governor of Connecticut. Eventually she married Thomas Lyon, by whom she had a daughter before she died sometime between 1651 and 1654.[2] The point is that Forth Winthrop probably owned this book as a young man, and his niece, Martha Johanna Winthrop, had the opportunity of neatly writing her name in it sometime during the late thirties or early forties of the seventeenth century.

If this, then, be the book referred to in the Journal, were John Winthrop and his first and most distinguished son wilful falsifiers of the facts? The conclusion is not inescapable. The elder man unquestionably suffered from moments of superstitious melancholy, but John Winthrop, Jr., has been hailed as one of New England's first men of science—if not the very first. Perhaps the satisfactory solution of the puzzle lies underneath the evidence of this little book: people who believe in the miraculous or the supernatural are always ready to arrange the facts of any unusual incident to fit their fancy. Such testimony must be examined with peculiar care. For some years the late Colonel Banks and the president of this Society delighted and amused its members with their debate, which only death could end, as to whether the Puritan forefathers of New England had suffered "persecution" or merely "prosecution" at the hands of Charles I and Laud. Professor Buffinton pointed out the answer in the memorable paper he recently read before this Society: when they were prosecuted for infractions of the law of the land, the Puritans, he concluded, were persecuted because they lived in the belief that they were persecuted and acted on that belief.[3]

So with John Winthrop and his obviously inaccurate report of the re-

[1] See the letter of Margaret Winthrop to John Winthrop, Jr., who was then in London, *ca.* December, 1630, *Winthrop Papers*, II (Boston, 1931), p. 321.

[2] 2 *Proc. Mass. Hist. Soc.*, VI. 2–20.

[3] See above, p. 311.

markable fate which befell one copy of the Book of Common Prayer in New England. Skeptics will suggest that the mice were probably interrupted at their work, possibly by some distant cousin of that cat in Cambridge. In the eyes of a Puritan, however, all printed pages which contained the rites and ceremonies of the Church of England were fit food for mice, and food for mice they marvellously became. One book out of "above a thousand" suffered damage, and of that one book only certain pages of the Common Prayer were nibbled at; the New Testament and the Psalms escaped unharmed. For us, the real miracle was that act or trick of memory by which *many* pages of this book became *all*. That one mouse, or more, should forego "corn of divers sorts" to gnaw on paper was noticeable enough, but nothing less than one of Edward Gibbon's famous footnotes could do ample justice to the sectarian significance of this simple story.

Mr. MATT B. JONES read a paper on "Thomas Maule, Quaker, and Freedom of the Press in Massachusetts Bay."[1]

[1] Printed in *Essex Institute Historical Collections*, LXXII. 1–42.

April Meeting, 1936

A STATED MEETING of the Society was held, at the invitation of Mr. ZECHARIAH CHAFEE, Jr., at the Signet Club, 46 Dunster Street, Cambridge, on Thursday, April 16, 1936, at eight o'clock in the evening, the President, SAMUEL ELIOT MORISON, in the chair.

The records of the last Stated Meeting were read and approved.

The Corresponding Secretary announced the death of Sir CHARLES HARDING FIRTH, an Honorary Member, on February 19, 1936.

The Corresponding Secretary reported the receipt of a letter from Mr. ROBERT WILLIAM GLENROIE VAIL, accepting Resident Membership in the Society.

The Council recommended for adoption by the Society the following amendments to the By-laws:

Chapter II, Art. 2, in the last sentence, strike out the words "nor shall more than one candidate for Honorary Membership be reported at any meeting."

Chapter III, Art. 1, in the first clause, strike out the words "January" and "March" so that this clause shall read: "There shall be Stated Meetings of the Society on the Twenty-first day of November and on the Fourth Thursday of December, February, and April, at such time and place as the Council shall appoint."

Chapter VII, Art. 1, omit the words "and on their acceptance issue the proper diploma."

These amendments were unanimously adopted by the Society.

Mr. CURTIS NETTELS, of Madison, Wisconsin, was elected a Corresponding Member of the Society.

The President appointed the following committees in anticipation of the Annual Meeting:

To nominate candidates for the several offices,—Messrs. ZECHARIAH CHAFEE, Jr., JOHN NOBLE, and ROBERT EPHRAIM PEABODY.

To examine the Treasurer's accounts,—Messrs. MATT BUSHNELL JONES and HENRY LEE SHATTUCK.

Mr. ARTHUR M. SCHLESINGER presented the following paper:

Propaganda and the Boston Newspaper Press 1767–1770

ONE unanticipated consequence of the Stamp Act was the part it played in effecting a revolution in American journalism. However useful the newspapers may earlier have proved as disseminators of information, they had never dared to act as makers and molders of public opinion. Any evidence of political waywardness or opposition on their part had met with prompt repressive measures by the authorities; and few printers had been so bold as to risk a second offense. The Stamp Act, however, opened the way for a decisive assertion of the power of the press. Because of the heavy duties inflicted on all branches of their business the printers believed that they faced ruin should the act be allowed to go into effect. At the same time the popular resistance to the law in the colonies crippled the arm of the government and warranted a resistance by the printers which earlier would have subjected them to drastic penalties. As a result they rushed eagerly into the fray, forming alliances everywhere with the Sons of Liberty and other subversive elements.[1]

Never again during the period of Revolutionary agitation was the printing craft to display so united a front. All four of the newspapers published in Boston at the time openly defied parliament by continuing to appear without stamps; two of these were presently to side with the government in the contest over the Townshend Acts. The successful outcome of the colonial uprising, evidenced by the repeal of the Stamp Act in March, 1766, gave the printers a feeling of profound satisfaction and a heightened sense of their importance to the community. "The press hath never done greater service since its first invention," declared a writer in the *Boston Post-Boy*.[2] If some of the editors in retrospect felt qualms at their unwonted activity during the crisis and resolved to mend their ways, the more energetic ones were determined never to relinquish the rôle which a fortunate combination of circumstances had enabled them to play.

The reign of peace and good will which followed the repeal in most of

[1] Arthur M. Schlesinger, "The Colonial Newspapers and the Stamp Act," *New England Quarterly*, VIII. 63–83.

[2] Article by "A Son of Liberty," reprinted in the *Boston Post-Boy*, March 24, 1766, from *A Providence Gazette Extraordinary*, March 12. The writer had in mind pamphlet publications as well as newspapers.

the colonies found the popular leaders in Boston alert to the possibility of fresh attacks on colonial liberties. Local issues kept them wrangling with Governor Francis Bernard, for they had the humorless habit of seeing in every effort of the executive to thwart their desires an invasion of their fundamental rights. They did not fail to call the newspapers to their aid. "As the Business of the faction is to conduct the Proceedings of the Genl Court to the purpose of inflamg the People," commented Bernard, "they print everything."[1] In the jaundiced view of one of the governor's supporters,

> To feign a red-hot zeal for freedom's cause,
> To mouth aloud for Liberties and Laws,
> For public good to bellow all abroad,
> Serves well the purposes of private fraud.[2]

"I have read and read," declared a writer in the *Boston Evening-Post*, January 19, 1767, "till my head has aked, the many pieces in one paper and another, some for, others against, and more concerning the G——r." When midsummer of 1767 brought what the *Boston Gazette* called a "Dearth of News and Politicks," its proprietors took occasion to spread on their first page the text of the English Petition of Right (1628), that "beautiful and strong Pillar of the English Constitution, whose Foundation is laid in the natural Rights of Men," and followed it the next week with long extracts from Magna Charta.[3]

Fresh news from England, however, afforded more promising material for feeding the spirit of American liberty. The passage by the House of Commons of the bill suspending the New York legislature until it should comply with the Quartering Act raised hopes in Boston of the revival of a general continental outcry against parliament. "If our legislative authority can be suspended whenever we refuse obedience to laws we never consented to," asserted "A. F." in the *Boston Gazette*, August 31, 1767, "we may as well . . . acknowledge ourselves slaves." "Sui Imperator," writing in the same issue, recorded that "my blood is chill'd, and creeps cold through my stiffened veins" because of the "shocking" news. Holding with "A. F." that the rights of all the colonies were involved, he recalled the lines of the "celebrated Poet":

> When Flames your Neighbour Dwellings seize
> With instant Rage your own shall blaze,

[1] Letter to Richard Jackson, February 18, 1767, Bernard Papers (Sparks MSS., Harvard College Library), VI. 14.

[2] "No Seeker" in the *Boston Evening-Post*, March 30, 1767, quoting the "Lines of a celebrated Writer."

[3] Issues of August 17, 24, 1767.

Then haste to stop the spreading Fire,
Which if neglected rises higher.

But these fervid appeals to universal principles awakened no answering enthusiasm, even in Boston. In Bernard's opinion, "a general Abhorrence of the inflammatory Papers" was "expressed thro' the Town."[1]

The first efforts to stir up sentiment against the Townshend revenue acts met with equal failure.[2] This legislation, though adopted at the end of June, 1767, was not to go into effect until November 20. Perhaps the Boston public suspected the political disinterestedness of the popular leaders. Perhaps it had merely become bored, temporarily, with questions of high constitutional right. At any rate, public opinion in the town and province remained quiescent until the local press in December began to publish the "Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies."[3]

John Dickinson, the pseudonymous author of this series, had submitted some of the earlier installments in advance to James Otis for his approval. "Whenever the Cause of American Freedom is to be vindicated," he wrote Otis, Massachusetts "must, as she has hitherto done, first kindle the Sacred Flame, that on such occasions must warm and illuminate the Continent."[4] From the standpoint of the popular party in Boston, Dickinson's lucid exposition of the issues at stake came as a great boon. Emanating from a distant province, the "Farmer's Letters" took from the controversy the imputation of local partisan squabbling and lifted it to the plane of an intercolonial struggle for fundamental liberties. So opportunely was this helping hand stretched forth from Philadelphia that some of the governor's intimates believed certain of the "Letters" had originated in Boston. Bernard himself could not agree, for he opined that "the Faction here has not a Writer of Abilities equal to this Work."[5] Certainly no spokesman of the Boston "faction" could have expressed himself with such magisterial calm and absence of invective.

The radical leaders, of course, lost no time in obeying Dickinson's injunction to "kindle the Sacred Flame." As Bernard later observed, "The

[1] Letter to Richard Jackson, September 14, 1767, Bernard Papers, VI. 47. "The proceedings in the newspapers are precisely the same as those preceding the former disturbances," Bernard had written Lord Shelburne, August 24, 1767. British Papers (Sparks MSS.), I. 74.

[2] A good example was the article by "M. Y." in the *Boston Gazette*, September 14, 1767.

[3] The series appeared originally in the *Pennsylvania Chronicle* from December 2, 1767, to February 15, 1768.

[4] Letter of December 5, 1767 (*Coll. Mass. Hist. Soc.*, LXXII. 3). Dickinson and Otis had been fellow-members of the Stamp Act Congress.

[5] Bernard to John Pownall, January 9, February 8, 1768, Bernard Papers, VI. 59–60, 89.

Success which had attended the Fl[a]gitious Publications in the Boston Newspapers, on the Subject of the Stamp Act, . . . was too obvious to escape the Attention of those, who wished to see the same opposition given to the Subsequent Revenue Laws. . . ."[1] In every way in their power they proceeded to excite general resentment against the Townshend Acts and to discredit the representatives of the royal authority in the province. For this purpose James Otis, Samuel Adams, Josiah Quincy, Jr., Joseph Warren, John Adams, John Hancock, Thomas Cushing, and others frequented the dingy office on Queen Street where Benjamin Edes and John Gill printed the *Boston Gazette*. There the group exchanged ideas and settled on timely means to galvanize the public pulse.[2] Lieutenant-Governor Thomas Hutchinson learned that meetings were also held "at regular stated times and places in the evenings, at least once a week," whence "the newspapers were generally furnished with speculations and compositions for the service of the cause in which they were engaged."[3] Perhaps it was one such gathering that John Adams recorded in his diary in an entry descriptive of a Sabbath day well spent:

> Heard Dr. Cooper in the forenoon, Mr. Champion of Connecticut in the afternoon, and Mr. Pemberton in the evening at the charity lecture. Spent the remainder of the evening and supped with Mr. Otis, in company with Mr. Adams, Mr. William Davis, and Mr. John Gill. The evening spent in preparing for the next day's newspaper,—a curious employment, cooking up paragraphs, articles, occurrences, &c., working the political engine![4]

The first two of this supper group were, in Governor Bernard's opinion, not only "two of the Chief Leaders of the Faction in the House," but also "the principal Managers of the Boston Gazette."[5] Samuel Adams in particular possessed superb ability as a propagandist—a talent which Hutchinson stigmatized as that of "artfully and fallaciously insinuating into the minds of his readers a prejudice against the characters of all whom he attacked, beyond any other man I ever knew."[6] More than twenty-five of Adams's journalistic pen names have been identified, with others

[1] Representation to Privy Council, January, 1774, *The Barrington-Bernard Correspondence and Illustrative Matter*, 1760–1770, Edward Channing and A. C. Coolidge, editors, p. 266.

[2] See valedictory editorials of Edes in the *Boston Gazette*, January 1, 1797, and September 17, 1798, quoted by Frederic Hudson, *Journalism in the United States, from 1690 to 1872*, pp. 165–167.

[3] Thomas Hutchinson, *History of the Province of Massachusetts Bay*, III. 167.

[4] Entry of September 3, 1769, *The Works of John Adams*, C. F. Adams, editor, II. 219.

[5] Letter to Shelburne, March 5, 1768, Bernard Papers, VI. 273.

[6] Hutchinson, *Massachusetts Bay*, III. 295.

strongly suspected.[1] It is clear he wished to convey the impression that he was a whole troop of writers. His fellow-members of the radical band did their part, however, helping to flood the community with ideas which, to Bernard's way of thinking, were "of the most daring nature, denying the Authority of the Supreme Legislature and tending to excite the people to an Opposition to its Laws."[2] "Our Liberty lads," wrote James Murray, a British sympathizer, "have such a rage for publication that everything must go to the press and be seen through their distorted medium. . . ."[3]

Yet they practised the art of concealment as skilfully as that of disclosure. Thus, when Governor Bernard failed to find any newspaper mention of a futile mob demonstration against one of the customs inspectors, he learned upon inquiry that "the Sons of Liberty had forbid all the Printers publishing any Thing of it." To the Earl of Hillsborough he directed the not unnatural query, "If *the King's Government* should assume such a Power, what would they say?"[4]

Next to the *Gazette*, the *Boston Evening-Post*, printed by Thomas and John Fleet, stood forth as a popular organ. Under the titular disguise of "Candidus" Samuel Adams wrote for it in 1768 and 1769. Joseph Hawley, as we shall see, was another active contributor to its pages. The *Evening-Post*, however, freely opened its columns to both parties. According to a Tory writer, the "Dirt-casters" of the radical party filled "all the Pages and Columns" of the *Gazette* and only the "Holes and Corners and other private Purlieus" of the *Evening-Post*.[5] The chief wrath of the

[1] See the list in William V. Wells, *The Life and Public Services of Samuel Adams*, I. 445 *n.*, and Harry A. Cushing's identifications in *The Writings of Samuel Adams*, I–II, *passim*.

[2] Statement to Privy Council, *Barrington-Bernard Correspondence*, p. 266. During the years 1767–1770 Josiah Quincy, Jr., used the signatures "Hyperion," "An Independant," and "An Old Man" in the *Gazette*. The manuscript copy of some of his pieces contained the significant direction to the printers: "Let Samuel Adams Esq. correct the press." Josiah Quincy, *Memoir of the Life of Josiah Quincy Jun.*, pp. 11–13, 18–29. Though active earlier, John Adams declared on June 22, 1771, that he had not written in the newspapers for two years. *Works*, II. 282.

[3] Letter of September 30, 1769, *Letters of James Murray, Loyalist*, Nina M. Tiffany, editor, pp. 161–162.

[4] Letter of July 18–19, 1768, *Letters to the Ministry* (Boston, 1769), pp. 44–46.

[5] This statement is quoted by "Tacitus" in the *Boston Gazette*, December 21, 1767. Others, of whom James Murray was typical, thought the two sets of contributors equally objectionable. *Letters*, p. 162. On occasion the *Evening-Post's* independence also proved a source of annoyance to the radicals. Thus "Tacitus," in the article just cited, referred to "that Emblem of Light and Purity, the *Evening-Post*, printed by those sweet, harmless, lovely Lambkins Tommy and Johnny Fleet, who are wholly ignorant that by this Conduct their Paper may be fitly compared to the Lanthorns, . . . which tho' they give some Light, yet . . . 'ray out, Abundance of Darkness.'"

conservatives therefore fell on the *Gazette*—"that torrent of envious calumny, dirtily pour'd forth" from a "sink of meanness and defamation."[1] "The temper of the people may be surely learnt from that infamous paper"; attested Andrew Oliver,

> it is the very thing that forms their temper; for if they are not in the temper of the writer at the time of the publication, yet it is looked upon as the ORACLE, and they soon bring their temper to it.[2]

It was probably someone with Oliver's views who gave currency to the story of a negro who, learning from Edes one day on the street that there was no late news, replied: "Well, if you've nothing new, massa Edes, I s'pose you print the same dam old lie over again."[3]

Appreciating full well the trouble-breeding gifts of the popular leaders, the guardians of British authority had seized an early opportunity to serve dire warning on persons who too freely criticized the government. The immediate occasion was two articles by Joseph Hawley in the *Evening-Post*, July 6 and 13, 1767, which scored the Superior Court for its decision in a case growing out of the anomalous conditions produced by the nullification of the Stamp Act.[4] At the August term of the court Thomas Hutchinson, as chief justice, declared in his charge to the grand jury that "Pretty high Notions of the Liberty of the Press . . . have prevailed of late among us; but it is very dangerous to meddle with, and strike at this Court." Liberty of the press, he continued, meant nothing more than "a Freedom for every Thing to pass from the Press without a Licence," not "a Liberty of reviling and calumniating all Ranks and Degrees of Men with Impunity, all Authority with Ignominy."[5] Nevertheless he prudently refrained from asking the grand jury for a presentment. At the September term, however, he disbarred Hawley from further practice before the court because of the "injurious and scandalous Reflections."

As the opening gun in the government's campaign the incident failed of its intended effect. "Freedom of Speech," declared Edes and Gill in their issue of November 9, "is the great Bulwark of Liberty; they prosper and die together: *And it is the Terror of Traytors and Oppressors, and a Barrier against them.*" Hawley, unterrified, renewed his attack on the

[1] Unsigned article in *Boston Evening-Post*, December 7, 1767.

[2] Letter of May 11, 1768, *The Letters of Governor Hutchinson and Lieut. Governor Oliver, &c.* (London, 1774), p. 27. See also *id.*, pp. 30–31.

[3] William Tudor, *The Life of James Otis, of Massachusetts*, p. 450 *n.*

[4] Josiah Quincy, Jr., *Reports of Cases Argued and Adjudged in the Superior Court of Judicature of the Province of Massachusetts Bay between 1761 and 1772*, S. M. Quincy, editor, pp. 248–250; E. F. Brown, *Joseph Hawley, Colonial Radical*, pp. 63–67.

[5] Quincy, *Reports*, 244–246; *New-Hampshire Gazette*, October 16, 1767.

Superior Court in the *Evening-Post*, January 18, 1768, and he found ample support from other radical scribblers.[1] The government therefore resolved to try the issue once more. An appropriate opportunity quickly presented itself. "A True Patriot" (Joseph Warren), addressing an unnamed official in the *Boston Gazette*, February 29, 1768, denounced his "*obstinate Perseverance in the Path of Malice*," and closed with the sentiment:

Men totally abandoned to Wickedness, can never merit our Regard, be their Stations ever so high.

"If such Men are by God appointed,
"The Devil may be the Lord's anointed."[2]

Rightly fitting the shoe to his own foot, Governor Bernard on March 1 referred the "libellous and seditious publication" to the Council, which unanimously advised him to seek action from the legislature. Accordingly, he next turned to that body, declaring that, though he had "been used to treat the publications in the Boston Gazette, with the contempt they deserve," the present one, "if unnoticed, must endanger the very being of government. . . ." As was to be expected, the Council, acting now in its legislative capacity, officially recorded its "utmost Abhorrence and Detestation" of the "said libel." But the response of the House, given on the same day (March 3), was quite otherwise. That branch announced that, since the writer had named no one, it did not feel justified in taking notice of the matter. It then read the governor a lecture on the freedom of the press, "the great Bulwark of the Liberty of the People," adding virtuously: "Should the proper Bounds of it be at any Time transgressed, . . . Provision is already made for the Punishment of Offenders in the common Course of the Law."[3]

The Council, despite its forthright declaration, flinched from angering the popular branch and the Boston mob by joining with the governor, as he desired, in prosecuting Edes and Gill, the printers. The advice of cer-

[1] Hutchinson in time came to believe that the disbarment had had the unfortunate effect of driving Hawley into the arms of the extremists. In a vain effort to repair the fancied damage he secured Hawley's reinstatement in the fall of 1769. Brown, *Joseph Hawley*, pp. 67–68, 118, 121.

[2] That the writer was Joseph Warren seems beyond reasonable doubt. See Quincy, *Reports*, p. 271, and Richard Frothingham, *Life and Times of Joseph Warren*, p. 40 *n.* With much less evidence Wells (*Samuel Adams*, I. 175) assigns the authorship to James Otis.

[3] The House adopted the reply by a vote of 39 to 30. On the whole incident, see Quincy, *Reports*, pp. 270–275; *Speeches of the Governors of Massachusetts, from 1765 to 1775; and the Answers of the House of Representatives to the Same*, Alden Bradford, editor, pp. 118–119; *Boston Gazette*, March 7, 1768; Bernard, *Letters to Ministry*, pp. 8–10; Hutchinson, *Massachusetts Bay*, III. 186–187.

tain councilors to Bernard to let bad enough alone found no advocate, however, in Thomas Hutchinson. In his charge to the grand jury a few days later Hutchinson asserted:

> There are People who make it their Business to furnish the Press with the most scandalous and defamatory Pieces. No Government,—in Europe, I am sure,—not one that is counted the most free, would have tolerated those libellous Pieces which we have seen in the public Prints, within this Twelve-month past.

After summoning a host of precedents to show that a libel did not require the naming of "any Person at all," he instructed the grand jury that only by violating their oaths could they fail to make a presentment.[1] The members, greatly impressed, asked the attorney-general to prepare a bill; but overnight "Otis and his creatures"—Hutchinson's phrase—busied themselves with the jurors and, by means best known to themselves, won over a narrow majority against a presentment.[2]

The *Gazette's* circle of writers chortled with glee. In the issue of March 14 Samuel Adams, masquerading as "Populus," declared: "There is nothing so *fretting* and *vexatious*, nothing so justly TERRIBLE to tyrants, and their tools and abettors, as a FREE PRESS." And "A True Patriot," who had precipitated the incident, assured the public that he would continue to "strip the serpents of their stings, & consign to disgrace, all those guileful betrayers of their country." Four days later a gathering of citizens to celebrate the repeal of the Stamp Act drank toasts to "*The Boston-Gazette, and the worthy Members of the House who vindicated the Freedom of the PRESS*," and to "*The worthy and independent Grand Jurors.*"[3]

But Hutchinson was not yet ready to cry quits. At the August term of the Superior Court he planned to reopen the issue. When the time came, however, he discovered that the grand jury contained some of the leaders of the mob, and, whether for this or for some other reason, he let the occasion pass with only a brief general allusion to the evil of "inflammatory, seditious Libels."[4] At the March session of 1769 he frankly admitted that he had "no Hope of the ceasing of this atrocious Crime" through legal action. He could only hope that libels "are become so common, so scan-

[1] Quincy, *Reports*, pp. 263–270.

[2] Hutchinson and Oliver, *Letters*, p. 9; Bernard, *Letters to Ministry*, pp. 10–12.

[3] *Boston Gazette*, March 21, 1768.

[4] Bernard, *Letters to Ministry*, p. 51; Quincy, *Reports*, p. 305. Bernard informed Hillsborough that on the day before the session the *Boston Gazette*, August 22, 1768, threatened publicly to expose Hutchinson's "private Life and Conversation" if he renewed his charge. If such an article appeared, it was in a supplement no longer extant. A letter in that issue from "W.," however, denounced Hutchinson (without naming him) for supposedly accepting a salary from home; the printers corrected this false report in their next number.

dalous, so entirely false and incredible, that . . . all Ranks among us will treat them with Neglect."[1]

In reality, the government party did not content itself with the supine course which Hutchinson's words implied. Already it had taken steps to fight the devil with fire, to meet propaganda with propaganda. When the troubles over the Townshend Acts began, the only Boston newspaper with distinct leanings toward the government was the *Massachusetts Gazette, and Boston News-Letter*, published by Richard Draper, who since 1763 had been favored with the public printing of the governor and the Council. A mild-mannered man, frail in health, Draper lacked the pugnacity to meet the radical attacks blow for blow. In the hope of insuring a wider journalistic support a sheet hitherto inconspicuous, the *Boston Post-Boy*, was brought into line through the appointment of its proprietors, John Green and Joseph Russell, as printers to the newly established Customs Board. Hardly more than Draper, however, did they possess the requisite temper: John Adams described them as "quiet, harmless, dovelike, inoffensive."[2] Something needed to be done to give greater unity and energy to the two papers. With this purpose in mind the Council at its meeting on March 3, 1768, after attesting its "utmost Abhorrence" of the abusive article by "A True Patriot," proposed the establishment of a new publication, the *Massachusetts Gazette*. This should not be a separate sheet, but should be issued in umbilical connection with the two pro-British journals.

The plan, as consummated at the Council meeting on April 11, provided that each firm should accompany its regular weekly issue with one or more pages captioned *The Massachusetts Gazette*, "Published by Authority." The arrangement went into effect on May 23, 1768, and for more than a year the *Massachusetts Gazette* was printed on Mondays as a part of the *Boston Post-Boy* and on Thursdays as a part of the *Boston News-Letter*.[3] Neither of the popular organs appeared so frequently as twice a week, but this advantage for the government was offset by the failure of its printers to develop that degree of belligerent advocacy which the situation required. This failure, it may be supposed, represented a de-

[1] Quincy, *Reports*, p. 309.

[2] Isaiah Thomas, *The History of Printing in America*, I. 145–147; II. 57–58; John Adams, Notes, 1770, MS., Massachusetts Historical Society.

[3] The *Massachusetts Gazette*, though issued from two different presses, adopted a system of consecutive numbering, beginning with No. 277 as a sort of continuation of the *Massachusetts Gazette, and Boston News-Letter*. When the arrangement lapsed, the *News-Letter* reverted to its earlier title, and the *Boston Post-Boy* lengthened its name to the *Massachusetts Gazette, and Boston Post-Boy*. On this whole matter, see Albert Matthews, "Bibliographical Notes on Boston Newspapers, 1704–1780," our *Publications*, IX. 430–432, 470–471, 484–493.

fect of temperament in the editors, which was doubtless reënforced by a reluctance to goad the excitable populace to active reprisals.[1] Meanwhile the British authorities sought to draw the fangs of the opposition press by withholding from the *Boston Gazette* and the *Evening-Post* the advertising which the vice-admiralty court had customarily inserted concerning ship seizures and the like.[2] On September 25, 1769, the official experiment in counterpropaganda came to an end. By that time, as will shortly appear, a far more effective journalistic support had sprung up in an unexpected quarter and without any instigation from the government.

From the start the government's attempt to manipulate public opinion excited jeers at the "Adam and Eve paper" and the "Court Gazette." The printers of the *Boston Gazette* and the *Evening-Post*, nothing daunted by the loss of official advertising, eagerly lent their columns to fresh assaults on "British tyranny." Again and again journalistic penmen flicked Bernard on the raw. Yet even after the riot over Hancock's smuggling sloop *Liberty* the governor was of two minds as to whether bringing in British troops would help or hurt the cause he represented. The decision, however, rested with his superiors in England, who, distant from the scene, failed to appreciate the seismic potentialities in the local situation. A *Boston Gazette* article on September 5, 1768, which Bernard believed emanated from "the Cabinet of the Faction," made him fearful lest the coming of the soldiers would precipitate armed insurrection.[3]

As the time of their arrival drew near, he took up with the Council the question of providing quarters for the troops. In order to keep news of the plan from the Boston press, he enjoined or pledged the members to keep the proceedings secret and, as a further precaution, ordered the secretary to retain all copies of the minutes. But that body, increasingly radical in its sympathies and unwilling to lose the advantage of popular support, had the transactions published in the newspapers on October 10. Bernard hotly denounced the Council for its bad faith, maintaining that no government could operate successfully if in advance of action its intimate discussions were "canvassed by Tavern Politicians, and censured by News Paper Libellers"; but the spokesman for the Council replied that "the People

[1] As early as October 5, 1767, "Anonymous," writing in the *Boston Gazette*, had warned Draper: "Thy Paper will never gain the better Circulation if too frequently thou art made a Cat's paw to Individuals, or a Party in judging thy Superiors." By 1769 popular disapproval was assuming the form of muscular violence.

[2] "Journal of the Times," April 14, 1769, in *Boston Evening-Post*, June 12, 1769.

[3] Letter to Hillsborough, September 17, 1768, Bernard, *Letters to Ministry*, p. 52. This article, headed "READER, ATTEND!," bitterly arraigned the course of the royal officials and urged that, in theory, such acts had broken the compact between the colonies and the mother country and had dissolved the connection between them.

in their present Temper would not bear with the keeping the Proceedings in Council secret."[1]

The rift with the Council reflected the even wider breach which the radical chieftains had opened between the governor and the populace. The final blow to Bernard's usefulness came from the publication of some correspondence which he had carried on with the Earl of Hillsborough concerning conditions in Massachusetts. The *Boston Gazette* and the *Evening-Post* prepared the public mind by printing on April 3, 1769, a list of letters from Bernard which Lord North had laid before the House of Commons on the preceding November 28. Within a few days the copies of those which had reached Boston were struck off by Edes and Gill in pamphlet form.[2] Although the correspondence revealed few opinions which the governor had not openly divulged, his plain speech enraged the opposition, caused the *Boston Gazette* to break out in a rash of protest and invective, and led the Council to demand Bernard's recall. The home government acquiescing, he sailed on August 1 to the accompaniment of a "Flag hoisted on Liberty Tree—the Bells Ringing—Great Joy to the People."[3]

The incident of the letters was not yet closed. Besides the original batch printed in April, the popular leaders later obtained a number of others, including some written by the customs commissioners. On September 4, before any of them had been published either in the radical press or in pamphlet form, James Otis, from an advance knowledge of their contents, inserted an "Advertisement" in the *Boston Gazette*, excoriating the customs commissioners for their "abusive misrepresentations" of himself and his countrymen. The next evening, at the British Coffee House, John Robinson, one of the commissioners, assaulted him with a cane, leaving him wounded and bleeding.[4] From this attack Otis never wholly recov-

[1] Letter to Hillsborough, October 14, 1768, *id.*, pp. 72–75.

[2] Through his privileges as a member of parliament Alderman William Beckford of London had secured copies for the agent of the Council, William Bollan, who transmitted them to Boston. Hutchinson, *Massachusetts Bay*, III. 226–230; Bernard to John Pownall, April 12, 1769, Bernard Papers, VII. 280–282. The pamphlet was titled *Letters to the Right Honourable The Earl of Hillsborough from Gov. Bernard, General Gage, and the Honourable his Majesty's Council.*

[3] *Letters and Diary of John Rowe, Boston Merchant, 1759–1762, 1764–1779*, Anne R. Cunningham, editor, p. 190. The account in the *Boston Gazette* (August 7) began: "Tuesday last embarked on board his Majesty's Ship the *Rippon*, sir Francis Bernard of Nettleham, Bart., who for nine Years past, has been a Scourge to this Province, a Curse to North-America, and a Plague to the whole Empire."

[4] Tudor, *James Otis*, pp. 360–366, 474–475; *Boston Post-Boy*, September 11, 1769. For the later indictment of Bernard and the commissioners by a grand jury of Suffolk County for "slandering the inhabitants of the town of Boston, and of the province of Massachusetts Bay," see Hutchinson, *Massachusetts Bay*, III. 262–263. The pamphlet publication, which presently appeared from the press of Edes and Gill, bore the title:

ered a mental balance originally none too steady; his usefulness to the patriot cause was largely ended. By the *Boston Gazette* the affair was promptly stigmatized as "the intended and nearly executed Assassination of Mr. Otis"; and even Samuel Adams, parading as "An Impartialist," laboriously argued, though he could hardly have been convinced by his own evidence, that it was a "preconcerted plan to assassinate Mr. Otis."[1]

The affray revealed the combustible state of public feeling which the newspapers had helped to bring about. The presence of the soldiers, far from cooling passions, had merely excited the radicals to redoubled exertions. Realizing the danger to Massachusetts of marching too far ahead in the resistance to the ministry, the radicals devised means of indoctrinating the newspaper readers of other colonies with their own alarmist view of events. So secretly did they act that neither then nor since has it been possible to probe into the inner workings of the scheme. Beginning on September 28, 1768, when the troops arrived from Halifax, they sent weekly budgets of news, colored according to their ardent fancy, to John Holt of the *New-York Journal*, who printed them in his columns about two weeks later, under a Boston date line, as the "Journal of Occurrences" or "Journal of the Times" or "Journal of Transactions."[2] From this source, presumably, it was copied by the press all the way from Salem, Massachusetts, to Charleston, South Carolina. Week by week the "Journal" painted a partisan and sensational picture of events, giving high relief to the insolent behavior of the soldiery, the dangers of seduction and rape to which the women of Boston were exposed, the "tyranny" of the royal officials, and the gallant forbearance of the townsfolk. The following excerpt is typical:

Dec. 12, 1768. A Married Lady of this town was the other evening, when passing from one house to another, taken hold of by a soldier; who other-ways behaved to her with great rudeness; a woman near Long Lane was stopped by several soldiers, one of whom cried out seize and carry her off; she was much surprised, but luckily got shelter in a house near by; another woman was pursued by a soldier into a house near the north end, who dared to enter the same, and behave with great insolence: Several inhabitants while quietly passing the streets in the evening,

Letters to the Ministry from Governor Bernard, General Gage, and Commodore Hood. And also, Memorials to the Lords of the Treasury, from the Commissioners of the Customs. With Sundry Letters and Papers.

[1] *Boston Gazette*, September 11, 25, 1769; Samuel Adams, *Writings*, I. 380–386.

[2] The series began in the *New-York Journal* on October 13, 1768, and lasted till September 14, 1769. The question of the "Journal's" authorship is probably insoluble. Bernard doubtless got as near the facts as any later investigator is likely to when he informed Hillsborough on February 25, 1769, that the "Journal" was "composed by [Samuel] Adams & his Assistants among which there must be some one at least of the Council . . . ." Bernard Papers, VII. 148. I am indebted to Mr. Albert Matthews for information in regard to the "Journal."

have been knocked down by soldiers: One of the principal physicians of the town, was the last friday, about 12 o'clock at night, hailed by an officer, who was passing the street, but not of a patrolling party; the Doctor refused to answer, and resented this treatment; whereupon the officer seized him by the collar, asserting that he was on the King's duty, and swearing that he would have an answer; this so provoked the Doctor that he gave him a blow, which bro't the officer to the ground; he then seized him, but a soldier or two coming up at that instant, he tho't proper to let him go. *These are some further specimens of what we are to expect from our new conservators of the peace: The inhabitants however still preserve their temper and a proper decorum; in this they have doubtless disappointed and vexed their enemies: Under all the insults and injuries received, we are patiently waiting the result of our petitions and remonstrances, for a redress of grievances, and an alteration of measures: We cannot but flatter ourselves that administration must soon be convinced of the propriety and necessity of putting affairs upon the old footing, which experience now demonstrates to be the best for both countries.*[1]

The authors of the "Journal" lost no good opportunity to impress upon the colonists elsewhere that the plight of Massachusetts was the plight of all. Thus, after praising the Virginia Burgesses for their "vigour and boldness," their "free and generous spirit" in backing up the Massachusetts Circular Letter, the "Journal" pointed the moral:

. . . as common sense dictates that each colony should feel for its neighbours under those severities to which all are exposed; there will, there must be a reciprocation of such kind of obligations and grateful sentiments, through all the colonies, to the disappointment and confusion of those who wish to divide and enslave us.[2]

What most concerned the local representatives of the king's prerogative was the "very great effect" the "Journal" had on Boston itself when, about two months or so after publication by Holt in New York, the *Boston Evening-Post* ran the articles. In Hutchinson's opinion, "Every little insignificant fact relative to the troops" was distorted, "journal-wise, with glosses, exaggerations, and additional circumstances." By the time the Bostonians read the items,

. . . there was a general remembrance remaining of the fact, so as to make the aggravations more easily received. Many false reports, which had been confuted, were mixed with true reports, and some pretended facts of an enormous nature were published, of which so much as the rumour could not be remembered.[3]

[1] *Boston Evening-Post*, February 6, 1769. For allegations of seduction and attempted rape, see, for example, the "Journal" for April 30, May 16 and 17, June 14, and July 5, 1769, in the *Evening-Post*, June 26, July 17, 31, and August 14, 1769.

[2] The Virginia Resolves, dated May 16, 1769, were printed in the Boston press on June 8 and were commented on in the "Journal" on June 16 (in the *Evening-Post*, July 31).

[3] Hutchinson, *Massachusetts Bay*, III. 225. The *Evening-Post*, printing the first installment on December 12, 1768, sought to sustain its professed independence of parties

Hutchinson cautioned his friend Israel Williams of Hatfield: "Nine tenths of what you read of the Journal of Occurrences in Boston is either absolutely false or grossly misrepresented."[1]

Most of those singled out for attack maintained a discreet silence. Bernard felt that "To set about answering these Falsities would be a Work like that of cleansing Augeas's Stable, which is to be done only by bringing in a Stream strong enough to sweep away the Dirt & the Collectors of it all together."[2] The irascible James Murray, however, was incapable of displaying such self-restraint. A recent appointee as justice of the peace, he had incurred popular displeasure by allowing his sugar refinery to be used by the soldiers as barracks. "Among many other notorious falsehoods, and groundless insinuations," he protested in the *Evening-Post*, May 29, 1769, "I have been traduced, by gutted words, and otherwise, as a *jacobite*, a *rebel*, and a *drunkard*." He called upon "the Author of that Journal, who undoubtedly lives in this town, to unmask, . . . and to support his charge, in public or in private, at his own option."[3] But the anonymous person or persons had no intention of being drawn from cover. In the *Evening-Post*, June 5, "Scrutator" denounced Murray's "very passionate and outrageous address," and closed by advising him:

> Rail on, while my revenge shall be
> To speak the very truth of thee!

In the *Boston Gazette* of the same day "John M'Quirck" nettled some and tickled more by counselling the justice:

> . . . a gentleman of your w——p's athletic constitution, can't always put up with affronts; therefore I would advise that *Rascal* of a Journalist, *who undoubtedly lives in this town*, if he tenders the welfare of his hide, to keep out of your way, for it is very hard (as an old magistrate once very justly observ'd) if *a justice of the peace has not a right to strike a man when he pleases.*

Murray did not pursue the matter further.[4]

The last installment of the "Journal" bore the Boston date line of

with the statement: " . . . if any of the Facts shall appear to have been misrepresented, a Place shall always be open to any Gentleman who shall think proper to correct them."

[1] Letter of January 26, 1769, Charles M. Andrews, "Boston Merchants and the Non-Importation Movement," our *Publications*, XIX. 196 *n*. Hutchinson concluded the account of the "Journal" in his history with the sentiment: "This lying for the sake of truth may as well be excused in the cause of liberty, as in that of religion, though, as has been long since observed, it is a scurvy trick at best." *Massachusetts Bay*, III. 225.

[2] Letter to Hillsborough, February 25, 1769, Bernard Papers, VII. 148–150.

[3] Printed also in the *Boston Gazette* and the *Boston Chronicle*, May 29.

[4] In due course the "Journal" directly replied to Murray, reiterating at length the substance of the earlier charges. See the "Journal" under the dates June 3, 8, and 9, in the *Boston Evening-Post*, July 31, 1769.

August 1, 1769.[1] The series had then been issued continuously for ten months. Why it was brought to an end is not evident. Perhaps the authors felt that they had accomplished all they had set out to accomplish. The "Journal" had undoubtedly won sympathy for Massachusetts and helped to energize the popular cause in other parts of British America. In Boston itself the "Journal" had proved a powerful factor in consolidating public opinion against the presence of the troops.[2] Incidentally its bold course encouraged many other journalistic sharpshooters to enter the arena—those whom James Murray called "the nameless scandalmongers for the papers."[3] Expert at their business, these scribblers stirred the cauldron of popular emotion until the hot liquid coursed through nearly everyone's veins. By rapid stages events moved on to the street brawl of the night of March 5, 1770, when Captain Thomas Preston's men killed several of the townsmen.

This incident was promptly dressed up by the radical writers as a dramatic symbol of British misrule. The *Boston Gazette* on March 12 made as much of the occasion as the current conception of journalistic enterprise warranted. Unlike Draper's *Massachusetts Gazette, and Boston News-Letter*, which four days earlier had excused itself from giving a full narrative because evidence was still being gathered, Edes and Gill devoted four and a half columns to the affair. Adorning the columns with mourning borders, they harrowed their readers' feelings with a cut showing four coffins inscribed with death's-heads and the initials of the slain men.[4] The *Evening-Post* of the same day contained nearly as extensive and a somewhat more circumstantial account. Both sheets termed the affray the "bloody Massacre," and strongly intimated that some of the firing had come from an upper window of the customhouse. The *Boston Gazette*, for its part, predicted disclosures that would explain, among other things, "the Assassination of Mr. Otis some Time past" and "open up such a Scene of Villainy acted by a dirty Banditti, as must astonish the Public." Had not the troops been removed to a fort in the harbor, further collisions would almost certainly have occurred. In the years ahead the "bloody Massacre" was to have an emotional recall value which the radicals seldom failed to employ.

[1] It was printed in the *Boston Evening-Post*, December 11, 18, 1769. The items for July 25–30 had appeared in the issue of October 2.

[2] The *Boston Gazette*, March 12, 1770, observed that the friction between the townsfolk and the military had continued to grow after the "Journal" ceased to appear.

[3] Murray, *Letters*, p. 162.

[4] The cut, made by Paul Revere on March 9, originally showed "5 Coffings." See E. H. Goss, *The Life of Colonel Paul Revere* (4th ed., Boston, 1904), I. 75–77. One of the victims, Patrick Carr, did not die until two days after the *Boston Gazette* appeared. The next issue (March 19) displayed in a black frame a single coffin, marked "P. C."

Yet the popular leaders did not carry everything their own way. It is possible that the fury of their journalistic assault on the British authorities and the garrisoned troops was designed in part to divert public attention from the weaknesses of the non-importation campaign which they had been waging since January 1, 1769, against the mother country. If such was the case, they reckoned without the consequences of their course, for they presently aroused against themselves a doughty foeman who for a time made them tremble for their cause. This was John Mein, a Scotsman, who since 1765 had conducted a bookstore and lending library in King Street.[1] Prospering at this business and deciding to enlarge his activities, he had founded the *Boston Chronicle* on December 21, 1767, with John Fleeming as his partner. No other news sheet then printed in America equaled the new publication in typographical appearance, and on January 9, 1769, Mein added to his laurels by converting it into a semi-weekly, the only colonial paper save the short-lived *Massachusetts Gazette* to appear so often.

In his original prospectus for the venture he had declared: "Whenever any dispute claims general attention, the arguments on both sides shall be laid before the public with the utmost impartiality."[2] For a year and a half he adhered faithfully to this policy, somehow escaping most of the cross-fire of censure which befell the Fleets for pursuing a similar course. He granted hospitality to the "Farmer's Letters" and, as further evidence of his open-mindedness, printed the *Chronicle* on stock from the paper mill at Milton instead of on dutied paper imported from England. But Mein was a man of thorny temperament, sufficient unto himself, and not disposed to accept dictation, from whatever source it might come. Soon after starting the *Chronicle* he took occasion to cane John Gill because a pseudonymous article in the *Boston Gazette* had denounced him for reprinting a London squib adverse to America's friend, the Earl of Chatham.[3] Some months later, when the "Heads of the Faction" tried to bully him

[1] Accounts of Mein may be found in our *Publications*, XIX. 227–230; Charles K. Bolton, "Circulating Libraries in Boston, 1765–1865," *id.*, XI. 196–200; Arthur M. Schlesinger, *The Colonial Merchants and the American Revolution*, 1763–1776, pp. 159–178; Thomas, *History of Printing*, I. 151–154; II. 59–61.

[2] *Proposals for Printing a New Weekly Paper, called The Boston Chronicle*, dated October 22, 1767.

[3] See "Americus" in *Boston Gazette*, January 18, 1768, and Edes's statement in *id.*, January 25. Mein was haled into court where, he later said, James Otis "bandied about the Liberty of the Press as the Salvation of America" and accused him (Mein) of endeavoring by violence "to shutt up that great Source of freedom." Papers Relating to New England (Sparks MSS.), III. 45, 47; Adams, Notes. "Populus" (Samuel Adams?) took the same line as Otis in the *Boston Gazette*, February 1. Mein's burst of temper cost him nearly £100 sterling at the hands of the court.

into signing the non-importation agreement against the Townshend Acts, he flatly declined. Neither their entreaties, their bluster, nor their warning that "the Crisis was now arrived in which Neutrality was criminal," moved him—except to anger.[1] The fiercely partisan portrayal of local conditions by the "Journal of Occurrences" may further have exacerbated him.

In the *Boston Chronicle*, June 1, 1769, after the popular party had made public the first black list of violators of the non-importation agreement, Mein came out into the open, launching a campaign of ever increasing effectiveness against what he alleged to be the hypocrisy and double-dealing of the champions of the measure. Securing from the Customs Board cargo lists of all vessels which had entered the port since the agreement became effective, he published the information in successive numbers of the *Chronicle* with the names of the consignees and the kinds of merchandise. Merchants importing goods in apparent contravention of the agreement were held up to scorn and derision.

Mein's charges fell like a whiplash upon the backs of the opposition. The *Boston Gazette* and the *Evening-Post* teemed with signed explanations and justifications, ranging all the way from abuse of Mein as a "conceited empty Noddle of a most profound Blockhead" to sober attempts to correct misstatements of fact.[2] The non-importing merchants at their meeting on August 11, after contrasting the "Well Disposed," who upheld the agreement, with the "Enemies to the Constitution of their Country," added the Scotsman's name to their list for boycott.[3] In his next issue (August 17) Mein, leaving blank the space where the black list should have appeared, renewed his attacks with fresh gusto. He seized upon the expression, "Well Disposed," giving it many a satiric twist and soon making it a by-word and a reproach in the community.[4] On September 21 appeared the first of a series of articles captioned a "Catechism of the Well Disposed." The number for October 26 turned the spotlight on "The Characters of some who are thought to be 'Well Disposed,' " identifying them with ludicrous names. This last performance in particular, according to Thomas Hutchinson, "gave great offence" to the popular leaders.[5]

[1] Mein's memorial to the Treasury, quoted by Andrews, "Boston Merchants," our *Publications*, XIX. 228 *n.*

[2] Francis Green's characterization, reprinted in the *Boston News-Letter*, September 21, 1769.

[3] *Boston Gazette*, August 14, 1769.

[4] Mrs. Christian Barnes, in a letter from Marlboro in June, 1770, referred, as a matter of course, to the "Well Disposed Commity." Murray, *Letters*, p. 176. Even the *Boston Gazette*, March 5, 1770, alluded to the "several 'Well disposed' Counties in this Province."

[5] Hutchinson, *Massachusetts Bay*, III. 259. For reasons that will appear presently, only the first installment was published.

A memorandum by Mein, preserved in the Sparks Manuscripts, provides posterity with a useful "Key to the Characters," including "Tommy Trifle, Esq." (Thomas Cushing), "Johnny Dupe, Esq." (John Hancock), "Muddlehead" (James Otis), and "Lean Apothecary" (Dr. Benjamin Church).[1]

The merits of Mein's charges are less important in the present connection than their effect on public opinion. It is clear that the conduct of the signers of the non-importation agreement was not so exemplary as they tried to make out. Individuals among them sometimes indulged in practices which the twentieth century would call chiseling; others offended through sheer inadvertence. But the historical student can safely accept the contemporary judgment of the exacting Samuel Adams that "The Merchants in general have punctually abode by their Agreement, to their very great private loss."[2] Mein, with true debater's skill, enlarged upon every real or seeming deviation from the agreement, endeavoring to discredit the whole body of the merchants because of the derelictions of a few. He took particular delight in baiting John Hancock, sometimes deriding him as the "*Milch-Cow* of the '*Well Disposed*' . . . a good natured young man with long ears . . . surrounded with a croud of people, some of whom are stroaking his ears, others tickling his nose with straws, while the rest are employed in riffling his pockets," and sometimes gibbeting him as one of the furtive violators of the non-importation agreement.[3] Forced onto the defensive, Hancock and his friends replied with both scurrility and explanations. But Mein was so skilful at innuendo as to leave the impression in the minds of many that "Johnny Dupe, Esq." and his well-wishers were hypocrites and liars.

A part of Mein's campaign was to destroy the confidence of the colonists elsewhere in the good faith of the Boston merchants and thus sow discord and disunity among them. To hasten the accomplishment of this purpose he printed four thousand sheets listing the principal importations at Boston, and five hundred copies of a pamphlet containing the whole series of controversial articles; and these, with the help of the customs officers,

[1] Papers Relating to New England, III. 45–47.

[2] Letter of November 21, 1771, to Peter Timothy, Charleston, S. C., *Writings*, II. 65. The merits of Mein's contentions are canvassed in Schlesinger, *Colonial Merchants*, esp. p. 170.

[3] The principal charge against Hancock can be easily disposed of. He had infringed the spirit, not the letter, of the agreement by allowing some of his ships to carry prohibited goods as freight. This practice was not expressly proscribed until July 26, 1769. On September 6, he sent appropriate instructions to his London correspondents. *Massachusetts Gazette*, July 31, 1769; *John Hancock His Book*, A. E. Brown, editor, p. 166. For Mein's chief articles against Hancock, see the *Chronicle*, August 21, 28, September 4, 18, October 9, 1769. The quotation above is from the issue of October 26.

he scattered over all British America.[1] Soon the *Newport Mercury* was observing that John Hancock, "one of the foremost of the Patriots in Boston . . . would perhaps shine more conspicuously" if he were not so busy "getting rich, by receiving freight on goods made contraband by the Colonies."[2] What was more important, the merchants' committees at New York and Philadelphia betrayed increasing suspicions of their Boston brethren.[3] Mein's revelations, even when not wholly believed, formed an excellent pretext for those in other colonies who wished to end the non-importation. To his aggressive journalism must, in some considerable part, be ascribed the eventual defection of New York and Philadelphia and thus, indirectly, the collapse of the whole continental system.

Meanwhile Mein's presence in Boston was becoming intolerable to the radicals. The Free American Fire Company expelled him from membership; half his subscribers deserted him; his bookselling business was ruined; the signs at his bookstore and printing office were plastered with filth.[4] It was probably to help offset his business losses that Mein was appointed stationer to the Customs Board at about this time.[5] Alarmed by threats to his personal safety, he began to go about armed.[6] On October 28, two days after he had printed his travesty of "The Characters of some who are thought to be 'Well Disposed,'" he and his partner were mobbed in the streets, and before the excitement subsided the regiments had to be called to arms. A warrant being issued against him on the charge of wounding a bystander with a pistol shot, Mein, in terror of his life, fled to a ship in the harbor and later to England.[7] The celebration of "Pope Day" on Novem-

[1] The pamphlet, entitled *State of the Importations from Great Britain into Boston, from Jan. 1769 to Aug. 17, 1769*, was twice reissued the next year with appendices of importations to January 1, 1770, and from January 1 to June 19. In a letter, July 1, 1770, to Mein, then in London, Fleeming declared that the popular rage excited by the appearance of the last edition had caused him on June 30 to take refuge in Castle William. Papers Relating to New England, IV. 5. A writer in the *New-York Gazette and Weekly Mercury*, October 15, 1770, refers to a further "Pamphlet of Entries at the Port of Boston" for the period July 7 to August 14.

[2] Issue of September 4, 1769. For a similar attitude, see "Civis" in the *New-Hampshire Gazette*, July 6, 13, 1770.

[3] Andrews, "Boston Merchants," our *Publications*, XIX. 250–252. For a sharp exchange of letters between the Boston and New York committees in regard to Mein's accusations, see the *New-York Journal*, August 9, 1770, and the *Boston Evening-Post*, September 10.

[4] Murray, *Letters*, pp. 159–161.

[5] A Boston item of November 20 in the *New-York Journal*, December 14, 1769, sourly characterized the appointment as pay for Mein's "impertinent, grossly abusive and false publications."

[6] Letter of George Mason to Joseph Harrison, October 20, 1769. Papers Relating to New England, III. 40.

[7] Letter of Mein to Joseph Hanson, November 5, 1769, *id.*, p. 51; Hutchinson, *Massa-*

ber 6 (November 5 being Sunday) was marked by parading Mein's effigy along with those of the Pope and the Devil, with a transparency bearing the acrostic:

J nsulting Wretch, we'll him expose,
O 'er the whole World his Deeds disclose,
H ell now gaups wide to take him in,
N ow he is ripe, Oh lump of Sin.
M ean is the man—M——N is his Name,
E nough he's spread his hellish Fame,
I nfernal Furies hurl his Soul,
N ine Million Times from Pole to Pole![1]

In contrast to such intimidating tactics, an anonymous handbill, scattered through the town, called upon the "true Sons of Liberty" to "support the Printers in any Thing" that the popular committees "shall desire them to print."[2]

When Mein ventured to return to Boston in January, 1770, the merchants made public their view that he and others of his ilk deserved "to be driven to that Obscurity from which they originated and to the Hole of the Pit from whence they were digged."[3] Hancock—"Johnny Dupe, Esq."—was one who needed no such prompting. The financial losses entailed by Mein's political activities had plunged the printer deeply into debt to certain supply houses in London. Armed with a power of attorney from the English creditors, and spurning the offer of Mein's friends to serve as security, Hancock on March 1 placed an attachment on the *Chronicle* office and the bookstore. James Murray, however, persuaded the sheriff to accept a pledge covering Mein's interest in the printery, and thus "set the press a going again, much to the Surprize and Disappointment of

chusetts Bay, III. 258–261; Rowe, *Diary*, p. 194; *Boston Evening-Post*, October 30, 1769; Matthews, "Bibliographical Notes," our *Publications*, IX. 480–481 *n.* Mein's temporary absence marked no truce in the warfare on the "Well Disposed," a fact which may in part perhaps be explained by Hudson's statement in *Journalism in the United States* (p. 128) that Mein was aided in his editorial labors by Samuel Waterhouse, a customs officer, and Joseph Green, a Boston wit of repute. He may also have had other helpers. In an allusion to William Burch, one of the customs commissioners, the *Boston Gazette*, September 11, 1769, reported "certain Knowledge" that "Shylock Burch" wrote "the Impertinence that Mein exhibits in his Paper." Green was probably responsible for the proposal (*Chronicle*, January 18, 1770) that non-marriage, with its threat of depopulation, be substituted for non-importation as a weapon against England, himself to act as chairman of a committee for storing females: "If any man should refuse to deliver up his wife or daughter upon such an interesting occasion, he must be deemed AN ENEMY TO HIS COUNTRY."

[1] *Boston Chronicle*, November 9, 1769; also *Boston Evening-Post*, November 13.

[2] Facsimile in *Narrative and Critical History of America*, Justin Winsor, editor, VI. 78.

[3] Vote of January 23, in the *Boston Evening-Post*, January 29, 1770.

Mr. H—— and his party."[1] This intervention merely postponed the inevitable. In their issue of June 25 the printers laconically announced that "as the Chronicle, in the present state of affairs, cannot be carried on, . . . it will be discontinued . . . ." The redoubtable Scot departed the scene never to return again. Thereby the government party lost the most brilliant journalistic defender it was ever to possess, and the radicals rid themselves of their most effective adversary.

Nowhere else in colonial America had the newspaper warfare during these years assumed so deadly a form as in Boston. Each side had employed the weapons which lay ready at hand. In their attempt to muzzle the opposition writers the British authorities had appealed to the courts for support, and, when this recourse failed, they had freely used their power of patronage to organize a friendly press. Members of the government contributed both argumentative articles and exclusive official information in the effort to undermine public confidence in the popular party. In considerable measure, however, such endeavors had been defeated by the superior skill and ability of the radicals. Practised in the rhetoric of invective and hyperbole, restrained by few scruples, and captained by some of the shrewdest politicians in British America, they had developed their section of the Boston press into a formidable engine of indoctrination, reaching the summit of their achievement in the dissemination of their political views to other colonies through the secretly contrived "Journal of Occurrences." When their usual methods had fallen short of the mark, they had not hesitated to resort to physical intimidation and economic boycott to frighten off recalcitrant journalistic foes. To neither party had liberty of the press meant aught else than the liberty to silence the other party's press. In view of the limited resources of the place and period, it is not an exaggeration to say that the propagandists of the time challenge successful comparison with the most skilled practitioners of their art in our own day.

[1] Judgments were eventually assessed against Mein totaling over £2,612 with costs and damages. His financial tribulations are set forth in Murray, *Letters*, pp. 169–174; *John Hancock His Book*, p. 74; and Bolton, "Circulating Libraries in Boston," our *Publications*, XI. 198–200. John Adams, in the "Novanglus" papers (1774), perverted the facts in describing Mein's difficulties in Boston. See his *Works*, IV. 30.

Annual Meeting
November, 1936

THE ANNUAL MEETING of the Society was held at the Algonquin Club, No. 217 Commonwealth Avenue, Boston, on Saturday, November 21, 1936, at a quarter after seven o'clock in the evening, the President, SAMUEL ELIOT MORISON, in the chair.

With the consent of those present, the reading of the records of the last Stated Meeting was omitted.

The Corresponding Secretary reported the death, on May 3, 1936, of WALTER CABOT BAYLIES, a Resident Member; and, on July 1, 1936, of GEORGE ARTHUR PLIMPTON, a Corresponding Member.

The Corresponding Secretary reported the receipt of a letter from Mr. CURTIS NETTELS, accepting Corresponding Membership in the Society.

Mr. HENRY JOEL CADBURY, of Cambridge, was elected an Associate Member of the Society.

The Annual Report of the Council was read by Mr. ROBERT WALCOTT.

Report of the Council

DURING the year the Society has held its three usual meetings: that in December at the house of Mr. Augustus P. Loring, Jr.; that in February, on invitation of Mr. Stephen W. Phillips, at the Club of Odd Volumes; that in April, at the invitation of Mr. Zechariah Chafee, Jr., at the Signet Club, Cambridge. The attendance has been good, the papers interesting, and the discussions lively.

The Society has elected the following members:

Resident: RICHARD MOTT GUMMERE
Dr. ALBERT WARREN STEARNS
ROBERT WILLIAM GLENROIE VAIL

Associate: ELDON REVARE JAMES

Corresponding: REGINALD COUPLAND
CURTIS NETTELS

During the past year we have lost from our membership by death two Resident Members who joined the Society in the second year of its existence, forty-three years ago:

WALTER CABOT BAYLIES, Resident, 1893, died May 3, 1936; descendant of the early historian of Plymouth Colony, prominent cotton textile cloth manufacturer and financier.

FRANK BREWSTER, Resident, 1893, died November 25, 1935; an eminent classical scholar and a partner of one of our founders, Charles Sedgwick Rackemann, in the foremost firm of conveyancers in the city of Boston.

Two Corresponding Members have died:

GEORGE ARTHUR PLIMPTON, Corresponding, 1903, died July 1, 1936, at the age of eighty. He was for many years President of the Board of Trustees of Amherst College and Treasurer of Barnard College, and was celebrated for his invaluable collection of text-books and for his gifts to his alma mater and to Wellesley College.

JAMES HARVEY ROBINSON, Corresponding, 1929, died February 16, 1936. Graduated from Harvard College in 1887 with his brother, the late Professor Benjamin Lincoln Robinson, he took his Ph.D. at Freiburg in 1890. Two years later he was appointed Associate Professor of History at Columbia University, and he remained an active teacher in that university for over forty years. Besides well-known text-books in European history he wrote *The New History* and *The Mind in the Making*, landmarks in modern historical thought and historiography.

We regret to record also the loss of the beloved Sir CHARLES HARDING FIRTH, Honorary, 1934, who died February 19, 1936, after a lifetime devoted to historical teaching and writing at the University of Oxford where he was Regius Professor of Modern History. Stimulating as a teacher, productive as a scholar, generous as a friend, he has left hundreds of Americans his debtor for expert advice and kindly encouragement. His knowledge of New England colonial history was both wide and deep. "His fortitude and resolute will, no less than his knowledge, fitted him above all men to be the historian of Oliver Cromwell."

At the last Annual Meeting the Society adopted a new and simplified seal, designed by Dr. Harold Bowditch and Mr. Pierre La Rose.

During the past year the Society has published and distributed Volume XXVIII of its *Publications*, containing the Transactions from December, 1930, through April, 1933. Volume XXXII, continuing the Transactions, is now in active preparation. The Society continues its support of the *New England Quarterly*.

The Treasurer presented his Annual Report, as follows:

Report of the Treasurer

In accordance with the requirements of the By-laws, the Treasurer submits his Annual Report for the year ending November 14, 1936.

Statement of Assets and Funds, November 14, 1936

ASSETS

Cash:		
Income	$12,917.76	
Loan to Principal	*10,436.67*	$2,481.09
Investments at Book Value:		
Bonds (Market Value $111,081.25)	$94,541.80	
Stocks (Market Value $53,346.25)	44,907.94	
Mortgages	10,500.00	
Savings Bank Deposit	3,031.86	152,981.60
Total Assets		$155,462.69

FUNDS

Funds		$142,513.07
Income:		
General Income	$12,917.76	
Martha Rebecca Hunt Fund Income	31.86	12,949.62
Total Funds		$155,462.69

Investments as of November 14, 1936

BONDS	*Book Value*
$5,000 Atchison, Topeka and Santa Fe Railway Company General 4's, 1995	$4,728.01
5,000 Bell Telephone Company of Canada First 5's, Series B, 1957	4,062.50
5,000 Canadian Pacific Railway Equipment Trust 5's, 1944	3,872.50
5,000 Central New England Railway Company First 4's, 1961	3,512.50
5,000 Central Pacific Railway Company First and Refunding 4's, 1949	3,762.50
5,000 Chester Water Service Company First 4½'s, 1958	3,375.00
5,000 Chicago and Western Indiana Railway Company Consolidated 4's, 1952	3,640.00
5,000 Chicago Junction Railways and Union Stock Yards Company Mortgage and Collateral Trust Refunding 5's, 1940	3,762.50

$5,000	Cleveland, Cincinnati, Chicago and St. Louis Railway Company Refunding and Improvement 4½'s, Series E, 1977	$3,726.76
5,000	Grand Trunk Western Railway Company 1st 4's, 1950	4,607.03
5,000	Indianapolis Power and Light Company First 5's, 1957	4,593.75
5,000	Minneapolis, St. Paul and Sault Ste. Marie Railway Company First Refunding 6's, Series A, 1946	5,000.00
5,000	New England Telephone and Telegraph Company First 5's, Series A, 1952	4,875.00
5,000	New York, Philadelphia and Norfolk Railroad 4% Stock Trust Certificates, 1948	5,175.00
5,000	Oregon-Washington Railroad and Navigation Company First and Refunding 4's, Series A, 1961	4,105.00
5,000	Southern California Edison Company Refunding 3¾'s, Series B, 1960	5,075.00
5,000	Texas Electric Service Company First 5's, 1960	4,437.50
5,000	Toledo Edison Company First 5's, 1962	4,881.25
2,500	United States Cold Storage Company First 6's, 1946	2,500.00
4,000	United States Cold Storage Company First 6's, 1945	4,000.00
5,000	Virginian Railway Company First and Refunding 3¾'s, 1966	5,212.50
5,000	Western Union Telegraph Company 5's, 1960	5,137.50
5,000	Wickwire-Spencer Steel Company Prior Lien Collateral and Refunding 7's, 1935, Certificate of Deposit	500.00
	TOTAL BONDS	$94,541.80

STOCKS

50 shares	American Telephone and Telegraph Company	$8,593.63
50 shares	Consolidated Edison Company of New York, Common	3,077.50
100 shares	Electric Bond and Share Company $6.00 Preferred	10,600.00
50 shares	E. I. Du Pont de Nemours and Company	2,683.75
50 shares	First National Bank of Boston	1,750.00

1 share	First National Bank of the City of New York	$1,544.81
240 shares	General Electric Company, Common	5,719.50
50 shares	Insurance Company of North America	1,963.75
40 shares	Radio Corporation of America, Common	0.
5 shares	Travelers Insurance Company	2,225.00
50 shares	United States Cold Storage Company 7% Preferred A	6,750.00
50 shares	United States Cold Storage Company, Common	
Total Stocks		$44,907.94
First Mortgages on improved property in Greater Boston		$10,500.00
Deposit in Warren Institution for Savings		3,031.86
13,531.86		
Total Investments		$152,981.60

Composition of Funds, November 14, 1936

Publication Fund, established in 1893 by gift of $100 from Quincy Adams Shaw: composed of sundry small gifts and portions of the Income which were added from year to year. Income only to be used for Publications	$10,000.00
General Fund, established in 1893: composed of Admission Fees and Commutations added to Principal, Gains on Sales of Securities, etc. Income only to be used for Current Expense	30,833.91
Benjamin Apthorp Gould Memorial Fund, established in 1897 and 1898 by subscriptions in his memory. Income only to be used	10,000.00
Edward Wheelwright Fund, established in 1900 under his will without restrictions as to use	20,000.00
Robert Charles Billings Fund, established in 1903 under his will. Income only to be used for Publications	10,000.00
Robert Noxon Toppan Fund, established in 1904 by a gift in his memory from his widow. Income only to be used	5,000.00
Robert Charles Winthrop, Jr., Fund, established in 1905 under his will. Increased by $2,000 in 1924 under will of Elizabeth Winthrop. Income only to be used	5,000.00
Andrew McFarland Davis Fund, established in 1908 by a gift from him to be added to the permanent publication funds. Income only to be used	2,000.00
William Watson Fund, established in 1916 under his will without restriction as to use	1,000.00

George Vasmer Leverett Fund, established in 1920 under his will. Income only to be used for Publications	$30,000.00
Martha Rebecca Hunt Fund, established in 1923 under the will of Henry H. Edes. Income only to to be used for special purposes	3,000.00
Henry H. Edes Memorial Fund, established by sundry subscriptions from 1923 to 1925. To accumulate until it reaches the sum of $10,000. Income only be to used for Publications	5,679.16
George Nixon Black Fund, established in 1929 under his will without restriction as to use	10,000.00
TOTAL FUNDS	$142,513.07

CHANGES IN PRINCIPAL OF FUNDS

Total Funds, November 14, 1935		$138,940.47
Add—Additions to General Fund:		
Commutations	$200.00	
Admission Fees	40.00	
Sale of 50/55 shares General Motors Corporation, received as a dividend from E. I. Du Pont de Nemours & Company	48.98	
Profit from Sales of Securities:		
$5,000 Cedars Rapids Manufacturing and Power Company First 5's, 1953	1,135.50	
5,000 New York Water Service Company First 5's, 1951	1,273.00	
5,000 Public Service Company of New Hampshire First and Refunding 4½'s, Series B, 1957	450.00	
5,000 Texas Corporation Convertible Debenture 5's, 1944	61.13	3,208.61
Add—Additions to Special Funds:		
Henry H. Edes Memorial Fund	321.46	
Martha Rebecca Hunt Fund	42.53	363.99
TOTAL FUNDS, NOVEMBER 14, 1936		$142,513.07

INCOME CASH RECEIPTS AND DISBURSEMENTS

Balance, November 14, 1935		$12,477.82
RECEIPTS:		
Interest	$5,024.92	
Dividends	2,020.50	
Annual Assessments	780.00	
Sales of the Society's Publications	307.00	
Sale of Metal from Plates of Volume 26	18.59	
TOTAL RECEIPTS OF INCOME		8,151.01
		$20,628.83

DISBURSEMENTS:

Editor's Salary		$1,000.00	
Services to Editor		250.00	
Secretarial Expense		100.00	
Stenographic Services		100.00	
For Publications:			
Volume 28	$967.33		
Volume 32	10.00	977.33	
Purchase of Society's Publications at Auction		6.91	
New England Quarterly		3,000.00	
Annual Dinner		584.90	
Notices and Other Expenses of Meetings		90.31	
Accounting Services		125.00	
Storage on Stock		236.89	
Accrued Interest on Securities Purchased		217.09	
Blue Winterbottom Cloth		234.24	
"The Events of the Year 1935"		121.75	
By-laws and Envelopes		106.75	
Fire Insurance		20.40	
Rent of Safe Deposit Box		22.00	
Contribution to Writings on American History		50.00	
Revising Design of Society's Seal		50.00	
Proofs of West Church Records		36.50	
Shipping Charges		22.71	
Postage, Mailing, etc.		35.73	
Collection Charges		1.10	
Interest on Henry H. Edes Memorial Fund added to Principal		321.46	
TOTAL DISBURSEMENTS OF INCOME			$7,711.07
BALANCE OF INCOME CASH, NOVEMBER 14, 1936			$12,917.76

PRINCIPAL CASH RECEIPTS AND DISBURSEMENTS

Loan to Principal, November 14, 1935		*$11,709.71*
RECEIPTS:		
$5,000 New York Water Service Company First 5's, 1951	$4,923.00	
$5,000 Public Service Company of New Hampshire First and Refunding 4½'s, Series B, 1957, called at 103	5,150.00	
50/55 shares of General Motors Corporation	48.98	
$3,000 Texas Corporation Convertible Debenture 5's, 1944, called at 101	3,030.00	

$5,000 Cedars Rapids Manufacturing and Power Company First 5's, 1953	$5,585.50	
$2,000 Texas Corporation Convertible Debenture 5's, 1944	2,043.63	
Transferred from Income to Principal:		
Henry H. Edes Memorial Fund, Income	321.46	
Interest on Warren Institution for Savings Account	74.39	
Commutations	200.00	
Admission Fees	40.00	
TOTAL RECEIPTS OF PRINCIPAL		$21,416.96
		$9,707.25
DISBURSEMENTS:		
$5,000 Grand Trunk Western Railway Company First 4's, 1950	$4,607.03	
5,000 Southern California Edison Company Refunding 3¾'s Series B, 1960	5,075.00	
5,000 Virginian Railway Company First and Refunding 3¾'s, 1966	5,212.50	
5,000 New York, Philadelphia and Norfolk Railroad 4% Stock Trust Certificates, 1948	5,175.00	
Interest on Warren Institution for Savings Account, added to Principal	42.53	
Interest on Warren Institution for Savings Account, transferred to Restricted Income	31.86	
TOTAL DISBURSEMENTS OF PRINCIPAL		20,143.92
LOAN TO PRINCIPAL, NOVEMBER 14, 1936		*$10,436.67*

JAMES M. HUNNEWELL
Treasurer

Report of the Auditing Committee

The undersigned, a Committee appointed to examine the accounts of the Treasurer for the year ended November 14, 1936, have attended to their duty by employing Messrs. Stewart, Watts and Bollong, Public Accountants and Auditors, who have made an audit of the accounts and examined the securities on deposit in Box 1052–E in the Union Safe Deposit Vaults.

We herewith submit their report which has been examined and accepted by the Committee.

MATT B. JONES
HENRY L. SHATTUCK
Auditing Committee

The several reports were accepted and referred to the Committee of Publication.

On behalf of the committee appointed to nominate officers for the ensuing year the following list was presented; and a ballot having been taken, these gentlemen were unanimously elected:

President Samuel Eliot Morison
Vice-Presidents Hon. Arthur Prentice Rugg
Chester Noyes Greenough
Recording Secretary Augustus Peabody Loring, Jr.
Corresponding Secretary Dr. James Lincoln Huntington
Treasurer James Melville Hunnewell
Registrar Robert Dickson Weston
Executive Member of Council for Three Years Hon. Robert Walcott

After the meeting was dissolved, dinner was served. The guests of the Society were Mr. Leonard Bacon, Professor Cecil Bowra, Professor Bruce C. Hopper, Professor Howard M. Jones, Mr. Lewis Perry, and the Reverend Arthur J. Reilly.

After the dinner Mr. Leonard Bacon read the following verses:

There see him sit, whose humor Cantabrigian,
Hostile to virtue and to true religion,
Has set in motion my satiric twaddle—
Of all toastmasters-general very model!
Here I am on my feet, I scarce know how.
Let him sit quiet! It is my turn now,
For he let loose this cataract of verses.
Some count their blessings. Let him count his curses,
While I with rare rhinocerotic grace
Indulge a fancy wholly commonplace.
For who am I, with reasons or with rhymes
To castigate the folly of the times?
To chide with tumid epigram gone sour
The native lunacy that rules the hour?
You think it insolent, nor do you err.
But then I too am a New Englander.
There be who say New England's but a name
For a bad attitude in a worse game,
That justifies cheap pleasure satisfactory

By giving double width to its phylactery,
That lives upon destructive criticism,
Snobism the fine flower of Calvinism,
A state of mind Cromwellian-Lowellian
At home in a dour spiritual Porcellian,
Or, since I'm from New Haven, make it "Bones."
The point is to keep well ahead of Jones.
Such things are said and perhaps even thought.
We do not take the new time as we ought,
Or as it wishes, at its own valuation,
And so are subject to its condemnation
If we can't go ladies who advertise
Intellectual faculties well undersize,
And with five-color modesty reveal
That "Camels" add strange glamour to a meal.
I'll bet, despite their signatures sublime,
That they pick Melachrinos every time.
And doubtless we are apt to feel superior
About dictators mad with crowd-hysteria,
Or about the crowd-hysterics ill-advised,
Who want us fascified or communized.
We are perhaps ourselves only a cut
Above those brain-sick who go off their nut,
Just a little better than the crank who raves
Of hammer and sickle or the axe and staves.
Since we can't stop 'em, let epileptics foam.
We'll hope that swastikas will stay at home.
We don't like novelists with their wits destroyed,
Joyces and Faulkners, every Fraud a Freud,
Retching up from the Unconscious all perdition,
And coining money out of inhibition,
Or in the name of honest realism
Deifying third-form exhibitionism.
Nor can we love at first sight, "painters that paint
The whole damned universe the way it ain't."
(Milton once lost that crack, I have been told,
'Twixt Damietta and Mount Casius old.)
They change a girl to a prismatic beast,
Dadaiste, pointilliste, surréaliste,
And doughnut nudes in vain stand all revealed,
Unhouseled, disappointed, unannealed.

And I fear we shrink from poets who go gleaning
Ears of strange nothing in harvests of no meaning,
Who walk in deserts where mirages shine
And, if you ask for bread, you get a Stein.
That was so poor and old that "my kind muse
Took the wastrel in, unable to refuse."
But our politics I never shall deride,
Not after what men call the Landonslide,
Though we found one blessing in the hurly-burly.
God said: "Where is he?" And, my God, where was Curley?
What we may seem to be I shan't defend,
But now the chief point is to make an end.
And to make an end I'll borrow (I'm not nice)
From nobler poets a well-worn device
And turn rejoicing to better thoughts and scenes,
Considering our New England what it means,
For it does not mean stiff views on Man and God.
It means wet fog from seaward on Cape Cod.
It means the road under six feet of snow.
It can mean Emerson—and Biglow.
It can mean lightless mills and cornless cribs
And it can mean Shaler and Willard Gibbs.
It means high elms, "in August droughts that droop,"
Lobster-pot buoys and a heeling sloop.
It means wild roses and it means the white
Of breakers through the Narragansett night,
Indian Summer and February harsh,
Calopogons in a Saugatucket marsh,
Chocorua with the red dawn on his spike,
Wild geese high honking and the square-tail's strike,
The squirrel scuttling up the oak's grey boll,
Crow, tanager, cedar-waxwing, oriole,
Beech, sassafras, pepperidge, briars that wound and cling,
And the arbutus that calls home the Spring.

Mr. HOWARD M. JONES addressed the Society and its guests as follows:

Desiderata in Colonial Literary History

MEMBERS of this audience will doubtless recall that when Mark Twain first met General Grant, whom he greatly admired, he could think of nothing to say. Finally he blurted out: "General, I am embarrassed. Are you?" *I* am embarrassed, whether you are or not. Out in the mid-west, from whence I come, the Colonial Society of Massachusetts has an almost legendary aspect; and I am tempted to imitate Daniel Webster and address you as "Venerable men!" Nor is the legend without foundation. There are the solid and substantial volumes of your *Publications*, in which you have followed the example of Samuel Willard, of whom Cotton Mather said that "by his *Printed Works* [he] has erected himself a *Monument*, that will Endure when the Famed MAUSOLEUM'S of the *World* shall moulder down, and be buryed in their own Ruines." I need scarcely comment upon the famous names among your members—for example, that of the historian of witchcraft in Old and New England; that of the biographer of Increase Mather, whose book has revolutionized the whole concept of colonial biography; and that of the historian of Harvard, of whom I shall boldly say that his volumes have instructed the learned world in the use of academic annals as a key to intellectual history. The president of Harvard is also a member; and to those living in outer darkness on the other side of the Connecticut line, the president of Harvard is an awful figure, somewhere above that brief, transitory shadow, the president of the United States, and not very far below that of Zeus, the father of gods and men. In view of the long line of really distinguished speakers you have had, I can on this occasion only ask you to obey the injunction which Paul laid on the Corinthians when he said: "We then that are strong ought to bear the infirmities of the weak and not please ourselves." As for me, though I am far from feeling my calling and election sure, I can at least argue that my speaking to you was foreordained and, like a good Calvinist, rejoice in my own damnation.

My subject has to do with desiderata in colonial literary history; and I begin by remarking that our first need—perhaps, indeed, our only one—is that there should be a comprehensive history of American colonial literature. Apparently we are not the men our fathers were. When Professor Moses Coit Tyler died at Ithaca in 1900, there passed away not only the last and greatest of the founding fathers of scholarship in American letters,

but also, if one is to judge by some of the volumes purporting to be histories of colonial literature which have since appeared, the last person capable of undertaking so tremendous a task. So remarkable was Tyler's work that it remains today in some respects unsurpassed, and in all respects unrivalled. This fact is the more astonishing when one comprehends the difficulties under which he completed his monumental studies. The first two volumes, *A History of American Literature, 1607–1765,* were written at the University of Michigan where Tyler was at the time a member of the English department, and were published by the firm of G. P. Putnam's Sons in 1878. The University of Michigan, at that time only forty years old, was not the institution which it has since become. There was no William L. Clements Library of American historical material to which the scholar might turn, and the university's general library, though adequate for the modest demands which the collegiate instruction of the day made upon it, contained little of first importance for his purposes. Moreover, the American Historical Association had not then been formed—Tyler was to join in founding it in 1884—and the publications of that organization were of course not available. The interlibrary loan system had not yet been dreamed of; and the happy thought of duplicating the library cards of the great American collections and depositing these duplicates in the libraries of other institutions was still far in the future. Under difficulties which would have frightened a weaker man away from his task, Tyler went to work, resolved to deal only with source material and—a characteristic in which it is to be wished that more literary historians would imitate him—resolved also to read all the works which he discussed. The university purchased some materials, and the librarian borrowed more; the publisher hunted up books in the East for the author, who built a fire-proof study to receive these precious documents; Tyler bought as his slender resources permitted him, and devoted his vacations to collections like those of the American Antiquarian Society and the various libraries in Boston and Cambridge. He had, moreover, been profoundly impressed by Buckle's theory of history, and by the literary criticism of Sainte-Beuve; and had determined to make a careful study of the personality and environment of his various authors, a principle which further increased his trouble by requiring him to inform himself adequately of the biographies and characters of men concerning whom material was usually scattered, and sometimes scanty. It is to the credit of American criticism in the eighties that Tyler's work, when produced, was at once hailed as an intellectual achievement of a high order. Indeed, some reviewers were so astonished at the prodigious industry represented by these two impressive volumes that they doubted whether there was enough

American literature in the period which Tyler had investigated to furnish the basis of a work so thorough and so profound!

The writing of *The Literary History of the American Revolution, 1763–1783*, was done at Cornell, where Tyler had been called by Andrew D. White to a chair in American history. In some ways his task was made easier, though the Cornell library was not what we should now call adequate. But other duties intervened, the mass of material proved greater than he had anticipated, and the second two volumes, though thorough and good, neither completed the task which he had originally set himself nor possessed quite the authority of the first two. Taken together, however, Tyler's four volumes still remain standard.

Why, then, it may be asked, is there need for a new history of American colonial literature?

Although Tyler was possessed of critical as well as historical skill, so that, in his first two volumes especially, he sorted out better work from mediocre and laid down the lines along which colonial literature has, in a sense, been studied ever since, other discoveries have been made in the half century since his various volumes appeared. Especially is there a gap between the second volume of *The Literary History of the American Revolution* and, shall we say, the appearance of Bryant's "Thanatopsis" in 1817, from which many historians are inclined to date the beginnings of a truly national American letters. Hence, if for no other reason, it would still be desirable to fill out the picture to that year, or to some other significant date, in order that the full sweep of our literary development before the nineteenth century could be understood. Naturally also, there are some errors in Tyler—though it is miraculous, considering the difficulties under which he wrote, how few these are—and some judgments which time has modified or perhaps reversed. More important, however, is an understanding of the presuppositions on which Tyler wrote.

For while it was Tyler's purpose to illustrate the interests of the American people as expressed in or determined by their literary production, he belonged to a generation of historians who were primarily concerned with political history in the usual sense; and furthermore, to a school of history which tended to interpret the colonial and revolutionary periods as being marked by a steady and inevitable growth of political and religious liberalism. A greater man than the writers of some text-book histories, he was quite fair to the other side—indeed, in Tyler's history the literary productions of the American Tories received for the first time full and sympathetic treatment—but he was nevertheless committed to an evolutionary hypothesis, to a doctrine of genetic growth along lines of force, the outcome of which had been determined by a general historical tendency

towards liberalism and democracy. He therefore marshalled his thinkers and writers in an order which these presuppositions determined, and showed less curiosity about other phases of human endeavor. He worked fully and ably in the light of the information which he had, and fortunately for us, this information was broad and fine. None the less, it was determined by the historical assumptions of his age. The world of the seventeenth century was in the main closed to him except in its religious and political aspects; and though in the eighteenth century he did not neglect the poets or the casual essayists, the main line of his argument is with the political writers.

It is probable that every age must reshape the past in its own image; but certainly there is need for a re-examination and revaluation not only of the writers with whom Tyler so ably dealt, but also of the vast bodies of printed matter which he scarcely touched upon, or touched upon not at all. It is true that one or two attempts at such a survey have been made. We may pass over in charitable silence the unfortunate two volumes of Mr. Angoff's so-called literary history of the American people, but the work of the late Professor Vernon L. Parrington must detain us a little longer. His three-volume study, *Main Currents in American Thought*, was unfortunately left unfinished at his death; but the first volume of this study, *The Colonial Mind*, is complete in itself. Mr. Parrington's approach was certainly fresh, and he delivered himself of many stimulating judgments. No part of this book seems to me so good as the really extraordinary study of the ante-bellum South in the second volume of his work—a study which brings to light important thinkers that the victorious North has cruelly forgotten. Yet there are in *The Colonial Mind* many excellent passages. There are, unfortunately, also many passages which are not excellent—passages which are vitiated either by Mr. Parrington's inability to get at the original materials (he was professor in the University of Washington in Seattle) or by his refusal, when he did get at them, to follow the wise dictum of Emerson that every scripture should be read in the light of the spirit which brought it forth. If Tyler was committed to a theory of world-process in history, Parrington was enthusiastically enlisted upon the side of Jeffersonian liberalism. And, like Macaulay, he found that the problem of history was really very simple: there is a bad cause, and there is a good cause, and the business of the historian is to spotlight the hero and underline the villainies of the other side. Temperamentally opposed to Calvinism, it was impossible for him to live sympathetically the life of a seventeenth-century Calvinist. He makes a hero of John Wise, and casts the Mathers in the rôle of spirits who deny; and the same simple dichotomy appears throughout his volumes, varied, it is true, by his honest endeavors

to see virtue in the conservatives. If Tyler's presuppositions were essentially those of political democracy, Parrington's were those of economic liberalism; and, I think without really meaning to, he pushed the doctrine of economic determinism so far that it damaged his intellectual judgments. Since Parrington, we have had no attempt at a complete survey.

In the meantime, modern scholarship—literary, political, religious, economic—has wrought so thorough a transformation in our understanding of both the seventeenth and eighteenth centuries as to make obsolescent, though it can never make obsolete, many of Tyler's chapters. As I am more familiar with what has been done in the eighteenth century than with what has been done in the seventeenth, I can perhaps best illustrate what I mean from the later period. When Tyler published his first volumes, scholarly interpretation of the eighteenth century in England was just beginning. Men like Sir Leslie Stephen, Austin Dobson, Edmund Gosse, and others were bringing out volumes in the main biographical and critical—that is to say, their task was to establish correct lives for the great eighteenth-century authors, together with adequate texts, and to evaluate these texts in the light of their critical assumptions. It is a commonplace that the romantic and post-romantic generations in England and the United States had experienced an over-violent reaction away from the age of Pope and Johnson and from the literary canons of Augustanism. One of the tasks of the rising generation of critics and scholars in the seventies and eighties was to secure a sympathetic reading for the eighteenth-century men; and it was their valuable achievement to reinform their readers of the literary virtues of the age of reason. Some, indeed, were able to do more; Sir Leslie Stephen, for example, produced his great study of English deism. But the great bulk of the material concerning eighteenth-century literature which Tyler might read was of this critico-biographical order. It was, in the Latin sense of the word, apologetic; and the tasks of clearing the ground and re-establishing the importance of eighteenth-century thought and literature necessarily prevented scholars from making detailed studies of the content of that thought. Moreover, no one can get outside his time. The judgments made upon Pope or Swift or Sterne or Goldsmith were judgments colored by Victorian points of view; and, unhappily, the prestige of a book like Thackeray's *English Humourists of the Eighteenth Century*—that curious compound of literary charm and Victorian snobbery—colored the whole view of the eighteenth-century world.

It is the pleasing illusion of modern scholarship that it understands the eighteenth century—and, for that matter, the seventeenth also—much better than did the Victorians. We have passed out from under the penumbra of Victorian morality, whether for better or worse, just as we have

passed out from under the weight of Victorian literary criticism. Great masses of new biographical data have permitted a recasting of the lives of many eighteenth-century thinkers. We now see virtues in the prose and verse of the Augustan age which the Victorians, including Tyler, did not see.

The interest of this newer scholarship has not been confined to polite letters, but has broadened itself to include the general field of intellectual history. Such a book as the late Professor Kay's edition of Mandeville's *Fable of the Bees* not only gives us an authoritative text of an important work, but traces the history of the ideas which Mandeville presents. And such a study as Professor R. S. Crane's recent article on the genealogy of the figure who is the hero of Mackenzie's once notable, though now forgotten, novel, *The Man of Feeling*, enables us to trace the filiation of ideas which culminate in this sentimental masterpiece. The work of Professor A. O. Lovejoy of Johns Hopkins has been especially influential in the recasting of eighteenth-century scholarship, and literary scholars in this aspect of British life have universally gone to school to the Baltimore philosopher. As it would be tedious to discuss all the important concepts which have been shaped as keys to that famous century, I shall content myself with merely enumerating a few of them. The rich complex of ideas associated with primitivism; the idea of a chain of being; the acceptance of the Newtonian view of the universe, and the working out of the implications and analogies of that concept in the literary, the theological, and even the political spheres; the concept of the imagination and its relation to eighteenth-century notions of reason; the rich and elusive doctrines of deism; anti-intellectualism and its paradoxical twin, intellectual equalitarianism—such are some of the central ideas which the literary historian of the eighteenth century now has at his command for a fuller understanding of the thought and literature of the time.

Meanwhile a similar revolution has been wrought in the seventeenth-century field, with which I shall not trouble you further than to say that one of its results has been to minimize the break which earlier literary historians had assumed to be true of the period of the Restoration as against the earlier portion of the seventeenth century. The implications of the theory that seventeenth-century thought is more of a *continuum* than previous historians had supposed are obviously of considerable consequence for an understanding of colonial literature, particularly that of New England, in the period in question.

Now it can be said, I think, that the transit of civilization from the Old World to the New in the case of the American colonies is one of the most remarkable instances of intellectual transplantation that the world has ever

known. One must go back to the colonizing of the ancient Greeks to find its parallel. I do not recall any other colonizing venture in the history of mankind since the Greeks—certainly none in the western world—in which the adventurers, once they were physically established, so quickly and so conscientiously set themselves the task of creating in the wilderness a mature intellectual life. Necessarily this was done under colonial conditions; necessarily few great geniuses appeared, and almost no books of the first order of merit were written. But anyone who sits down to read in orderly fashion the products of the colonial pen must be impressed, I think, with the extraordinary intellectual energy which these sermons, these pamphlets, these controversial volumes display. And if historians of American letters have not in every case been prepared to admit the existence of this relatively high intellectual level among the colonial minds, it has been because of two errors: either they have been looking for something they could not in the nature of the case expect to find, or they have been carrying back into the colonial centuries the standards and predilections of their own day. To search among colonial writers for poetry or prose in the shape of *belles-lettres* is to search for something which the colonial centuries do not yield. Yet, even with the great example of Tyler before them to teach them better, literary historians, confusing the absence of imaginative works of high order with the supposed absence of intellectual energy, have supposed that the colonial period had little to offer them. As for the fallacy of expecting seventeenth- and eighteenth-century authors to write as if they were living under the consulship of Roosevelt, it is too gross to require comment, except that it is a fallacy which is ever and again being committed by literary commentators.

The problem of the literary historian of the colonial period is then, as I see it, to evaluate this transit of intellectual interests from the Old World to the New in the light of modern scholarship, and to observe and report the slow change which took place in some of these dominant ideas, their reinforcement or death, as the intellectual life of the New World conformed itself to American demands. Before the task can be completed, we shall doubtless need many more special studies of the type represented by Professor Perry Miller's valuable book on orthodoxy in Massachusetts or by Professor Hornberger's researches into the colonial interest in scientific thought. Yet it is not too soon to begin thinking about the general pattern into which these special studies can be fitted. We need synthesis as well as analysis, especially if the analysis is to be properly directed and not to remain, as too many of our literary studies remain, random excursions into the wilderness.

Many of the materials are at hand, and require only analysis and inter-

pretation. In the preservation and publication of these materials it is a commonplace that New England, and particularly Massachusetts, is well in advance of the rest of the old colonial area. This has arisen partly from the fact that the intellectual life of New England was, in all probability, richer than that of the rest of the colonial world; partly from the fact that New England early displayed an antiquarian interest; and partly from the continuing enthusiasm of societies such as yours. At the same time, it is, I think, fair to say that the excellent zeal of New England historians has inevitably thrown the picture out of balance; and the historian of colonial thought and literature, when he arrives, will have to guard himself against placing New England too much in the center of the picture.

To avoid this error, much work remains still to be done in discovering and organizing the evidence concerning the intellectual life of the middle and southern colonies. Particularly is the intellectual and literary history of colonial Virginia deserving of more attention than it has received. The Virginians have displayed commendable zeal in recording and discussing their history in the seventeenth century. But, fresh from going through the Virginia historical magazines, I am compelled to report that this zeal does not carry through with the same thoroughness into the eighteenth century. Lest I seem ungracious, let me hasten to add that what I have in mind is the lack of any such studies of eighteenth-century Virginia life as the late Professor Bruce provided for the seventeenth century. Moreover, with reference to both the seventeenth and the eighteenth centuries in Virginia, it is curious how little we really know about the intellectual interests of a colony which was, with Massachusetts, the leader of the American Revolution, not only in men, but in ideas. For lack of proper background studies, men like Patrick Henry, Thomas Jefferson, Washington, Mason, Madison, George Wythe, and the rest of that great and influential group have a curious air of arising out of the void. It is almost impossible to understand, in the present state of our knowledge, why they should have taken the philosophical positions that they did; and not until we have explored more thoroughly than we have yet done the climate of opinion in eighteenth-century Virginia may we hope to have a better understanding of this powerful group of writers and political leaders. Much of the material is available and has only to be interpreted: we have, for example, a rather rich list of the books in Virginia libraries, resulting from the printing of hundreds of Virginia wills; we have a good deal of data about the curriculum of William and Mary College, which remains to be interpreted as Professor Morison has interpreted the data he has accumulated about the early years of Harvard; and we have a good deal of correspondence. We have also Mr. Swem's extraordinary two-volume work, the *Virginia His-*

torical Index, the most exhaustive work of its kind yet prepared, I suppose, and an invaluable tool of analysis to the historian.

Not all the thirteen colonies are so fortunate as Massachusetts in being able to confine genealogy to a separate magazine. And one of the quirks of human nature over which the literary historian is inclined to sigh is the rage for genealogy which results in a good many pages of the various state historical magazines being devoted to information which, however interesting to the families involved, is of but little value for other purposes. Some odd things also show up in the Swem *Index*, indicative perhaps of the relative importance of such matters in colonial Virginia, or else, as I am inclined to think, indicative of the interests of those who have concerned themselves with the colonial history of that state. Seven columns of the index are devoted to books, but there are almost as many columns devoted to cattle. Eleven columns are devoted to horses—many of the entries referring to various horses by name—and a total of fourteen columns is devoted to arms, ammunition, and arsenals! Cattle, horses, and guns are obviously of importance to the life of a colony, but the literary scholar may be pardoned for wishing that historians of a state which was distinguished in the eighteenth century for philosophic leadership would pay a little more attention to intellectual history and a little less to blooded horses!

The historian of colonial American literature will, then, be required to possess a sound knowledge of the results of recent scholarship in the English and Continental fields, no less than in the American. He will have to do a good deal of individual exploring. And he will also, in my judgment, have to display some degree of courage in the way of synthesis and of independent critical judgment. He must be prepared to deal sympathetically at great length with a body of material which does not have the appeal of *belles-lettres*—that is to say, he will have to be more of an intellectual, and less of a literary, historian than the latter term commonly allows for. That he will discover any new or neglected genius, or that he will turn up any work of first importance is doubtful. Yet among writing of the second order—that is to say, writing that is clear and talented—some surprising finds still await the patient investigator. Many colonial sermons are possessed of considerable eloquence, and most of them are written with a lucidity and intellectual rigor far beyond the attainments of sermon-writers of later times. The political literature of the American Revolution still awaits a historian who will have the courage to pronounce upon its very great merits in that department of letters.

There are other books and pamphlets which display a rather remarkable degree of literary merit—that is to say, stylistic and rhetorical excellence. While reading in the Huntington Library some years ago, I stumbled

upon a pamphlet which may be well known to others, but which was new to me, and which has certainly not received the praise which its racy style and ingenious speculation deserve. Under the unpromising title of *An Essay on the Invention, or Art of making very good, if not the best Iron, from black Sea Sand*, Jared Eliot published at New York in 1762 an account of his experiments, together with various bits of philosophy about science and religion, which seems to me to possess considerable literary merit. I shall quote from it as an example of the unorganized realms of interest which still await the literary explorer. Eliot explains that he is very much interested in the social implications of new invention, but that "by Reason of my Situation in the Country, Want of proper Instruments to lend Assistance in searching into the Secrets of Nature, and State of Bodies, have been able to make but a slow Progress in that which I have so much at Heart"; and goes on (p. 4) to discuss with delightful frankness his experiments in trying to make iron out of the black sand on seabeaches, which appears and disappears at various seasons of the year.

> I once thought these Sands were brought up by the Waves of the Sea, and then by the Agitation of the Sea in Storms, and by the great Hurry of Waters, were carried back again to the Sea; but am now fully convinced that this Conjecture was unphilosophical, and not founded on true Principles . . . I am now certain, that the black Particles of these Sands are Iron, well washed from all Impurity, and that they are derived from the upland Earth adjacent, as also from other distant Lands. . . .

This somewhat novel theory he defends most ingeniously, arguing (pp. 5–6):

> That what has been called the Generation of Metals in Mines, and those great Beds of Ore called Mountain or Rock Iron, as also Bog Mine Ore, both are no other than a Collection of these Iron Particles, conveyed by Water to such Places as are fit, in their Formation, as in a Bed to receive them; where we find them in such great Masses, and in such a State of Cohesion, that we are obliged to break it up with Crow Bars, Sledges, Wedges, and Gun Powder. There is good Reason to conclude, that this great Collection of Sand Ore would long before now have been formed into Masses as we find it in Bog Mines, and in Mines of Rock Iron, were it not that these Iron Particles are so frequently put in Motion by the Agitation of the Sea, in its Flux and Reflux, that there is not Time to form a Cohesion; this Motion of the Iron Particles is what keeps them so pure and free from all fabulous and other heterogeneous Mixtures. . . .

He had, of course, to explain why particles of iron thus floated in the water, but regarding this phenomenon he argues that since "Iron may be plated so thin as to swim in Water, and . . . these Particles of Iron are

much less than Plates made by Hand," the theory is not improbable. He continues (pp. 7–8):

> As these Particles of Iron were on the Surface of the Sand, so they must have floated on the Top of the Water by which they were conveyed; if these Particles of Iron were much larger, the Velocity and rapid Motion of the Water might thrust them forward, as we see Gravel and even Stones tumbled forward by the Force of Water.

There is not time to quote Eliot's curious probings into the circularity of matter, but he is, in my experience, the first person to prove the Resurrection from a theory of metals! Here is the passage (p. 12 note):

> It is well known that Mercury or Quicksilver is a mere Proteus, can by Art be so ordered, as to appear in a great Variety of Forms, of divers Colours, Consistence, and Operation; as that of Salves, Ointments, Pills and Powders; yet can be reduced back to its primitive State—Yea, of itself it inclines to its original State or Condition, for in the Grave Dust of those who in Life had been salivated, it has been found returned back to Quicksilver with all its true Qualities, tho' it has been exhibited in a very different Form.—So Iron after it has passed through several Stages, and subsisted under various Forms, and having assumed different Types, Colours and Figures, may return each Particle to its original and primitive State: As we may conclude both from Analogy and Experience that this is the Case—From these Facts we may infer, that the Doctrine of the Resurrection is neither inconsistent with, or contrary to the true Principles of Philosophy, as founded on Observation and Experience.

The question where Eliot derived these philosophical ideas would plunge us back into the intellectual history of Europe and illustrates the need for a mastery of that background in judging American thought. But leaving to the learned the problem of the genesis of his ideas, I make the point that this is very lucid writing, the style easy and familiar, the sense quickly attained. It is as good as the remarkably lucid prose in which Franklin framed his reports on his experiments; and, however fantastic Eliot's theories may be, there is never the slightest doubt as to what he means. My judgment is that there is much more of this easy, lucid prose in colonial America than our literary historians have supposed; and that to call attention to the merits of such writing would be part of the task of the literary historian.

But above all we need a history of colonial letters to comprehend the roots of the American tradition. A colored barber in Austin, Texas, was proud of having shaved every governor of the state and every president of the university living in Austin while his barber shop had been operating. One day he told Robert Vinson, then head of the university: "Mistah Vinson, ef I wuz daid, you'd be sorry and send flowers, wouldn't you,

suh?" Mr. Vinson said that was true. "Well," said Jim, "I'd much rather have the money while I'se alive." Mr. Vinson saw the point. So did Jim's other friends, and a sum was raised large enough, not only to send Jim's boy to a negro college, but to send Jim on a trip. He chose Plymouth as his destination; and some days after his departure, Mr. Vinson was delighted to receive a gaudy postcard of Plymouth Rock, with the message: "Dear Mr. Vinson: this is where our ancestors landed!" Plymouth Rock and Jamestown, Massachusetts Bay and New Amsterdam—these are symbolically where our ancestors landed. And if we are to trace the history of the ideas which have formed the United States, if we are to understand the ideas on which the republic operates, we must, I think, give more careful attention to the intellectual history of the colonial period and to the literature in which that history is embodied than some of our literary critics and some of our literary scholars are at present willing to admit.

December Meeting, 1936

A STATED MEETING of the Society was held, at the invitation of Mr. AUGUSTUS P. LORING, Jr., at No. 2 Gloucester Street, Boston, on Thursday, December 17, at three o'clock in the afternoon, the President, SAMUEL ELIOT MORISON, in the chair.

The records of the Annual Meeting were read and approved.

The Corresponding Secretary announced the death of WILLIAM CROWNINSHIELD ENDICOTT, a Resident Member, on November 28, 1936.

The Corresponding Secretary announced the receipt of a letter from Mr. HENRY JOEL CADBURY, accepting Associate Membership in the Society.

Mr. BENTLEY WIRT WARREN, of Boston, was elected a Resident Member; the Hon. JOSEPH BURR TYRRELL, of Toronto, was elected a Corresponding Member; and Mr. HOWARD MUMFORD JONES, of Cambridge, was elected an Associate Member of the Society.

Mr. FULMER MOOD read a paper entitled "The Genesis of Frederick Jackson Turner's Historical Ideas."

February Meeting, 1937

A STATED MEETING of the Society was held, at the invitation of Mr. JAMES M. HUNNEWELL, at the Club of Odd Volumes, No. 77 Mount Vernon Street, Boston, on Thursday, February 25, at three o'clock in the afternoon, the President, SAMUEL ELIOT MORISON, in the chair.

The records of the last Stated Meeting were read and approved.

The Corresponding Secretary announced the death of the Hon. JAMES PARKER PARMENTER, a Resident Member, on January 14, 1937, and of the Hon. ELIHU ROOT, an Honorary Member, on February 7, 1937.

The Corresponding Secretary reported the receipt of letters from Mr. BENTLEY WIRT WARREN, accepting Resident Membership; from the Hon. JOSEPH BURR TYRRELL, accepting Corresponding Membership; and from Mr. HOWARD MUMFORD JONES, accepting Associate Membership in the Society.

Mr. JEROME DAVIS GREENE, of Cambridge, and Dr. HENRY ROUSE VIETS, of Boston, were elected Resident Members of the Society.

Dr. JAMES LINCOLN HUNTINGTON read a paper on

The Honorable Charles Phelps

A SCANT mile back from the busy artery which carries the traffic from Brattleboro to Bennington, through upland meadow, abandoned stage road now overgrown, through thick forest—there, deep in the shade of massive trees, one comes upon a patch of ground so thickly surrounded that one literally stumbles over the low stone wall into this God's Acre. Inside, enclosed by mossy stones and an old iron gate, trees nearly if not quite a century old tower high—birches, maples, and spruce. Standing in almost their original plumb are five splendid headstones of finely carved marble, each balanced by a footstone. On one of these slabs is lettered:

CHARLES PHELPS
An Eminent Jurist
and Theologian
Born Aug. 27, 1717
Died Apr. 17, 1789

This stone is erected
AD 1824

By one whose hands
while a child
Hath been joined to his—
And unto whom
Hath descended
A Grandsires Blessing.

It is of this eminent jurist—and I might almost add philosopher—I wish to tell. One reason for doing so is that Charles Phelps has appeared more than once in the pages of this Society's *Publications*. Then, too, we have an elaborate and painstaking portrait of this great-great-great-grandfather of mine which is very picturesque, and also a sketch of his curious domicile. These descriptions seem worth perpetuating. They are by the hand of his grandson, John Phelps, who erected the tombstone. He was born in Marlborough, Vermont, November 18, 1777, and died in 1849. Thus for twelve years he lived with his grandfather, while later this grandson was the close friend and advisor of Charles Phelps's widow, who survived her husband by some twenty years.

From *The Phelps Family of America and Their English Ancestry*—a book rich in errors—and from family papers in my possession, one learns that Charles Phelps was born in Northampton, Massachusetts, August 16, 1717.[1] His great-great-grandfather William, born in Tewkesbury, England, in 1599, came to Dorchester, Massachusetts, in 1630 with his six children. He shortly thereafter moved to Windsor, Connecticut, where he died in 1672. His son Nathaniel, born in England in 1627, went with his father to Windsor, but subsequently continued the migration up the Connecticut Valley to Northampton, where he died in 1702. It was his grandson, the third Nathaniel, born in Northampton, February 13, 1692, who was the father of Charles Phelps, the subject of this paper. This Nathaniel, it appears from a deed dated May 29, 1738, was a bricklayer. We know little of Charles Phelps's education or why he moved across the river

[1] The tombstone, as noted above, gives August 27, 1717, as the date. John Phelps, *Family Memoirs*, gives August 15. A memorandum by Charles Phelps in his own hand gives August 16, which is Old Style for August 27, 1717.

to Hadley, which he did shortly after his marriage to Dorothy Root, of Northampton, in 1740. The historian Judd states that Charles Phelps moved to Hadley "in 1743 or 1744"; but it must have been earlier, for in one of my deeds, dated February 20, 1740/41, he is described as "Charles Phelps of Northampton bricklayer"; and another deed, dated September 22, 1741, refers to him as "Charles Phelps of Hadley Mason." Evidently he followed his father's trade for several years, for he is referred to in deeds as bricklayer as late as 1750. But in 1753 we find him described in a deed as "gentleman," and from then on he seems to have pursued the practice of law, for these latter deeds are filled in by his own hand. That he made rapid strides in the practice of law would seem evident from the fact that in the records of the Court of General Sessions for the County of Hampshire held at Springfield on May 15, 1759, we read, following a list of "Justices of said Court present," that "Charles Phelps Esq. . . . now published his commission." His name also appeared in these lists in 1760 and 1761.

I have in my possession a long letter to Charles Phelps from his eldest son, Solomon, written at Cambridge, January 28, 1760, in which he quotes at some length from Virgil. He ends his letter with this N.B.: "Brother Charles can give you the English of my Lattin Motto." This rather implies that the elder Charles was not overproficient in Latin. The earliest of the father's letters that I now own, written on August 22, 1760, is addressed: "For the Venerable Y^{e} President & the Reputable Worthy fellows of Harvard College at Cambridge." In it he writes:

> I hereby assign the Reason why my Son has tarried here so long My Riding horse was Lame and my other Cut with a Sithe that Neither of them could Perform the Journey and as soon as I Could Get another Horse upon Hire and Get him Shod He Set out and Some other Hindrances I met with that nessesarily Detained him—Therefore I pray he may not be fined but Excused for These Reasons the mean time begging Leave to Subscribe my self your Very Humble and Most obed^{t} Servant at Comm^{d} &c
>
> C. Phelps

Earlier in that same year, as the following document in my possession testifies, Charles Phelps had encountered trouble at home.

January 19th 1760

These may certify whom it may concern

That at a meeting of the Pastor and Breatheren of the Chh. of Christ in Hadley To inquire into the Reason of Charles Phelps Esq's his Conduct in so long absenting himself from the Comunion of this Chh. Sd. Phelps appeard and declared himself of different Sentiments from this Chh. in Respect of the Qualifications of

such as are to be admitted to full Communion and that he esteemed the matter of Difference between him and the Chh. herein to be in a Point of such Importance that He could not in Consience hold Communion with a Chh. of different Sentiments from him in it and of a Practice in the admission of members so differing from what he thought it ought to be as that of this chh. and that for this Reason only he could not hold Communion with us in the Ordinance of the Lords Supper. Where upon the Chh. (Tho in the opinion of the chh. what he alledged would not justify his forsaking our Communion) Judged that it became them in such a Case to shew that leniety and toleration of Conscience as not to censure his conduct as gross scandel or proceed against him as a Scandelous offender and yet this chh. could not look upon his Conduct as any other than a Breaking off from us whereby (persisting in it not withstanding all that could be said to convince him that the difference in Sentiments was not a sufficient ground for it nor would warrent his withdrawing from our Communion). He had cut himself off from the Communion of this Chh. and came into the following vote:

Voted That Charles Phelps Esq. by long absenting himself from the Communion of this Chh. hath cut himself off from the Communion of it and this Chh. Esteems and declares itself discharged from any further Jurisdiction over him.

N.B. That when the above Vote was taken Sd. Phelps tho he had withdrawn and divided himself from the Communion of this Chh. was not otherwise scandelous. Nothing further had ever been laid to his charge in this Chh.

Hadley, Jan. 27, 1760

Sam[l] Hopkins, Pastor of Chh. of Christ in Hadley

Whether it was this friction with the church in Hadley or the adventurous spirit which existed in the family we have no means of telling, but shortly after his son Solomon graduated from Harvard in 1762 we find Charles making plans to leave Hadley and Massachusetts, taking up in 1764[1] grants in three townships that were supposed to be within the jurisdiction of the province of New Hampshire. These townships were New Marlborough, Draper (now Wilmington), and Somerset at the foot of the Green Mountains. Here he established, with the help of his son Timothy then but seventeen years of age, a large farm. The house was extraordinary and is thus described by his grandson, John Phelps:

[1] The date April, 1764, is given as the time of the arrival of the Phelps family in Marlborough. This is to be found on the gravestone of Timothy Phelps, son of Charles Phelps, in the abandoned burying-ground in Marlborough, Vermont. The town of New Marlborough was chartered by New Hampshire on April 17, 1764, in the name of Charles Phelps and his associates. Benjamin H. Hall, *History of Eastern Vermont*, p. 97.

Subsequent to the order of the King in Council fixing the Connecticut River as the eastern boundary of New York, Phelps applied to that Province for a charter for this town, but there is no record that he ever obtained it. His petition was originally filed October 15, 1766 (New York Land Papers, XXI. 183, 185), and was renewed March 16, 1772 (*id.*, XXXI. 48). The petition was finally granted by the Governor and Council on June 15, 1772, but no patent was taken out. For this information I am indebted to our associate, Mr. M. B. Jones.

. . . [It was] a sort of castle built of hewed logs, standing in a bleak, open field, recently partly cleared, stumps, logs and other vestiges of rude creation surrounding it; . . . never . . . finished. The original design of the building was large and magnificent. In the basement were mills, worked by hand or horse-power, for grinding corn. On the first floor was a spacious hall, with folding-doors at either end, through which the north winds were wont to sweep at pleasure. In this hall, also, was the staircase. Entering this hall from the south, on your left you entered the grand parlor, next was a spare sleeping-room, and lastly, on the extreme end, was his honor's chosen library, composed of the best authors of the day, on divinity, law, physics, belles-lettres, &c., &c. Divinity and law occupying by far the heavier shelves. On the right side of the hall were his honor's dining-hall, cook room, sleeping-room, and two bedrooms as convenient appendages. The two upper stories were designed as rooms for a college establishment, recitation rooms, lecture rooms, and dormitories for young gentlemen students.[1]

It was clearly Charles Phelps's idea to found a college, and in his will, according to his grandson John, he left

this whole college establishment solemnly dedicated and set apart for an institution of learning, in perpetuity, and endowed with many ten thousand acres of his Draper and Somerset estates. Young Moses Porter Phelps, son of Charles Phelps Esq., of Old Hadley, his grandson, then [1789] a student in Cambridge College, was duly appointed first President thereof. . . .[2]

But, as has been said, the house was never finished. In fact, according to John Phelps, "there were no chimneys, no glass windows, no recitation rooms, no dormitories, no [upper] floors. The upper stories were always used for hay-lofts."[3] The house was "cold, smoky and cheerless; a poor defense against the rude blasts of an inclement climate."

Charles Phelps took up his abode in New Marlborough in 1764 being the third settler in that township. It was at that time supposed to be part of New Hampshire, but was soon after claimed by New York as a part of Cumberland County. In the early disputes which terminated in the Westminster Massacre of March 13, 1775, the Phelps family is found lined up against the New Yorkers, for on May 1, 1775, Solomon Phelps writes: "Our country is now in a very critical situation. The people in general are almost ready to revolt from New York. Such consummate ignorance and knavery are blended in our magistrates, that they are insufferable."

In Benjamin H. Hall's *History of Eastern Vermont* there are further details concerning the members of the Phelps family and their early activities against New York. Charles Phelps was a delegate to the third Westminster Convention, February 7, 1775, called mainly for the purpose of seeking judicial reforms from the New York legislature. Together

[1] Phelps, *Family Memoirs*, p. 10. [2] *Id.* [3] *Id.*, p. 11.

with Dr. Solomon Harvey he was entrusted with the preparation for publication of such extracts from the proceedings as they should deem advisable. It was Phelps who drew up the convention's formal petition stating the people's burdens and grievances, and pointing out that failure to relieve them might involve obstruction of the further settlement of the county.[1]

In the following month Phelps had further occasion to display his hostility to New York when he attended a meeting at Westminster of committees of Cumberland and Gloucester counties. He was one of three appointed to draw up a remonstrance and petition on behalf of those assembled there. But this attitude could not long endure in the face of the issue that was developing between the colonies as a whole and Great Britain; and Phelps, like most of the other dissenters, soon threw in his lot with the New Yorkers against the greater enemy.[2] Later in the war, when the majority of the Vermonters, seized with the idea of forming a separate state, ceased to coöperate with New York, Phelps adopted the view that New York had a valid claim to the territory in question. From then on he became a leader of the adherents to the New York authority in southeastern Vermont.

And yet, while during this period the New York angle of the Vermont question loomed large in his mind, Phelps from time to time seems to have looked for at least a partial solution of the problem to his native Massachusetts where old claims to Vermont lands were intermittently revived. In June, 1774, he was in Boston in connection with a petition to the General Court regarding the "50 Townships" lying within the Massachusetts claim.[3] Three years later, in July, 1777, when the American evacuation of Ticonderoga left the people of Cumberland County open to threats of British invasion, Phelps, citing New York's refusal to come to their aid, turned to Massachusetts for assistance. General Heath's reference at the time to Phelps as being of "New Marlborough within the Claims of this State" is one indication that Phelps certainly made use of this drawing card in promoting his cause.[4] As a result of his energetic efforts, the Council provided the Vermonters with 300 firearms, 150 pounds of powder, 300 pounds of lead, and 455 flints. In October of this same year he was once more before the Massachusetts Council, this time with a petition for a supply of salt, and again in June, 1779, Phelps brought the matter of Vermont claims to the attention of the Massachusetts authorities.[5]

[1] Hall, *History of Eastern Vermont*, pp. 206–208. [2] *Id.*, pp. 243–244.

[3] Our *Publications*, XXV. 51–52.

[4] Heath Papers (MSS., Massachusetts Historical Society), v. 279.

[5] A communication of his to the Massachusetts Council, July 29, 1779, is printed in our *Publications*, XXV. 54–57.

On September 11, 1777, "at Brother Amos Allens Greenfield about sunset," Phelps's first wife died. The next year he married again. The following memorandum relating to this event is in his own hand:

I was married to my 2nd wife the widow Anstis Kneeland of Boston 2nd day of November 1778 by the revrnd Mr Parker Church of England Minister in Trinity Church at Boston on Monday at Eleven of the clock forenoon according to the form of the Episcopalian Church as used in their Common prayer Book. . . She was the widow of the Late Mr Timothy Kneeland printer son of Mr Samuel Kneeland Printer of Boston.

The story of this courtship is told by his grandson, John Phelps. Apparently the distinguished judge had had designs on a certain rich widow named Eustis, much nearer his age.

His call at her elegant mansion was to declare this his intention. This princess of a lady gently declined the honor intended her, but politely informed him that she had a niece visiting with her, also a widow, to whom an offer of the kind might be more agreeable; and she thereupon introduced her. The young lady, all covered with blushes, and trembling with apprehension, received the salutation of an old gentleman, large and corpulent, six feet three inches in the clear, in full bottom wig, frizzed and powdered in the most approved style, either for the judicial bench or ladies' drawing-room. The announcement of the question immediately followed. The lady turned pale. Her delicacy was shocked. With overpowered sensations she begged to withdraw a moment. Her aunt also gently obtained leave of absence and followed. After a short consideration the ladies both returned. "Judge Phelps," remarked the elder lady, "we are taken by surprise. The subject is deeply important. My niece, although favorably impressed, asks time to consider. She presumes upon your delicacy, and is assured that if it at all corresponds with your gallantry, you will indulge her a short space for reflection, say one week, after which, if you will honor us with a call, my niece, we, I mean, will be better prepared." "Preparation! Dearest madam, do me the favor to commit all preparation to my care. I am so happy in this respect that I have already hinted to a dear friend of mine, a Presbyterian minister of the Kirk of Scotland, (to which Evangelical communion I have no doubt you conform) that I may have need." "Not on account of the marriage of my niece, sir! By a Presbyterian! That will never do; never, sir." Alas! how liable are the most eager hopes and expectations to receive a chill. In the way of his own cherished profession the gentleman was brought up with a *special demurrer* here, and that by a lady.

With the astute eye of a lawyer, however, he perceived that the lady had committed a departure from the original issue, which was a matter of substance, to wit: *marry now, or not marry at all*, and had closed upon a new issue, and that too of a mere Presbyterian form, of no substance at all. He therefore adroitly proposed, in the most eloquent and polite terms, to the ladies, and in a manner most condescending, that on reflection he cheerfully yielded in matter of form to their superior propriety and taste, and would be married in any church they might choose on the

morrow morning, so that in the afternoon they might set out on their journey to his seat in the Grants.[1]

In *The Evening Post; and the General Advertiser* for November 14, 1778, appeared the following notice:

On Monday the second instant, after a very short courtship, was married Charles Phelps, Esq; to Mrs.—Kneeland. If true genius, profound learning, a marvelous fluency and uncommon politenese—have any tendency to attract the fair—no person can wonder a lady should bestow herself upon the gentleman above mentioned.

Back to the cheerless unfinished barracks this rural magistrate took his elegant Boston mistress. Let us briefly contrast the two as described by the grandson who knew them both so well. First the judge:

His dress on ordinary, every day occasions, was mean, badly attended to and slovenly. But when dressed for public occasions, nothing could be more magnificent, fashionable, and in better taste. The finest linen, frilled at wrists and bosom with the most costly cambrics; golden buckles to his stock, costly gems for buttons to his wristbands; deep blue broadcloth coat of the finest and firmest material; buff vest and small clothes, with bands at the knee secured with golden buckles; or else, for change, cravat of black, with satin vest and small clothes, silk stockings, with shoes or boots to fit. And then the wig: That ample, full-bottomed, full-powdered wig of the style of Louis XIV, or George II, to which add the brilliant on his finger, and the rings in his ears, the whole being surmounted with the tasteful *chapeau-de-bras*, with buttons of gold; . . . .[2]

And his new-found Boston wife, how is she described by this same step-grandson? He writes as follows:

Methinks I see her now of a fine summer's afternoon or evening, dressed to see her little Johnny, some four years of age, the only quality she expected, unless upon an evening of uncommon leisure, when my lively, spirited mother might accompany me. There she sits, clad in rich, changeable silks, gold watch, with heavy establishment in her girdle; a double chain of gold, connected in front with a large, precious stone locket set in gold, around her delicately turned neck; golden bracelets around her wrists. . . Methinks I can see her now, and hear, too, that soft and gentle "ahem," as if to prepare her voice for the sweetest and tenderest welcome, ...[3]

In the summer of 1779 Charles Phelps was instructed by those citizens of Cumberland County loyal to New York to present a petition concerning their troubles to the New York legislature, then sitting in Kingston, and thence to bring it before the Continental Congress, provided the legis-

[1] Phelps, *Family Memoirs*, pp. 9–10.
[2] *Id.*, p. 15. [3] *Id.*, p. 11.

lature assume the expenses involved. It was in August while at Kingston that he wrote the following letter to his son Charles at Hadley, Massachusetts:

Dear Son Charles

I have waited a whole fortnit for some of the members of both Houses of Legislature Ere any thing relative to my affaires Could officially be transacted at my first mention thereof to the Governor he seemed to be very spiritted in his Resolutions to do Every thing on his part to have the Legislature take up Vermont affair—and has been as assiduous since as he ought to both Houses & Especially the Senate—and both houses seems to approve of my Plan well my affairs are the first Engaged y^r^ serious attention yesterday the assembly unanimously voted to send me to Congress with expenc to be bore by the State how the Senate will Conduct theron I know not; to day they will Determin I am told; what it is I dont yet Know whether they concur or non Concur—I intend to know before I seat up

I am well & have been Ever since Except a Little Ill turn one Day not bad—A Grate Blast at Esopus here where the assembly sets 60 od miles Down Hudsons River from Albany near it West Side one of the Best Dutch Country towns I Ever saw the people the most anglifyd have been a rich people burnt all the town 2 years since by regulars ye houses Stone & Lime bright Walls yet standing in part some houses in part restored all furniture Consumed allmost in the fire.

These in hast from your Loving Father
Chas Phelps

August 26: 1779. If I live till to morrow shall be 62 years old O! Longevity to what multitudes fall Short of from which a Due Sensation affords matter of the most Serious & Important Speculation—

N:B: Prepare your Eternal Welfare Let what will become of your Secular remember your once Dear mother will no more advise you here of—

My best respects to Mrs Porter your Dear Mother and Warmest affection to your Dear Wife, Dolly,[1] her husband, & your & their Children my Grand ones, and my Due regards to all Inquiring acquaintances &c

P. S. Many people in these parts are Exceedingly affronted with Boston State for breaking the regulating Act & now they have run down the Currency almost to nothing & are fearfull it will sink vast Sums in their wicked hands of manopoly & Extortion Least it should more they say they are urgent to have the money made Good now it is Good for nothing but when it was near as Good as Silver then they would kill it so as to Get vast sums of it These people are rady to Execrate all such people but multitudes here think it is best to Let it sink to nothing that them Sharpers & Cut throats may Loose it all & strike off a new Emission on Interest redeemable in a short time they wont hear nothing to the scheem of raising the value of it again. Committees meet often but bring nothing to pass as I hear of—

[1] Dorothy Phelps, the judge's daughter, wife of Jonathan Warner of Hadley.

The New York legislature agreed to Phelps's proposition on August 27 and he proceeded to Philadelphia with his documents for Congress. That body on September 24 passed Resolutions favorable to the petitioners. Phelps, who in the interval since his arrival had lent his efforts to the attempt to secure favorable action by Congress on the Vermont measures proposed by the New York delegation, lingered for a while in Philadelphia after his own task was completed. John Jay, writing to Governor Clinton on October 7, had this to say about Phelps:

DEAR SIR, You will receive this by Mr. Phelps, of whose Fidelity to New York I have a good opinion; tho I cannot approve of all his manoeuvres to serve the State on this occasion. He appears neither to want Talents or Zeal, but the latter is not always according to knowledge, and the former carry him sometimes into Forrests [?] One of the New Hampshire Delegates told me that Phelps, in order to engage him against Vermont, endeavoured to persuade him that New Hampshire had a Right to a number of Townships in it; and he further told me, that on comparing notes with the Massachusetts Delegates, he found that Phelps had been playing the same Game with them. This story he told me in the Presence of some of the Massachusetts Delegates who smiled and were silent. I have never said any thing of this to Phelps because it could have answered no good Purpose; and I mention it to you, as a Circumstance which marks the man. He has, however, by talking on the Subject with every body done good. In my opinion his Expences should be paid without Hesitation, and he should be so treated as to go Home in perfect good Humour with the Legislature, for whom he now professes great Regard & Esteem, & I believe he is sincere in his attachment. Men of his Turn and Talk are always useful when properly directed. It is easily done by encouraging the good opinion he entertains of his own Importance.[1]

These indeed were anything but tranquil times in Vermont, and much worse was to follow. On May 17, 1782, a convention of representatives from Brattleboro, Guilford, Halifax, and Marlborough drew up for presentation to Governor Clinton a combined "remonstrance and Petition." Charles Phelps was the bearer and carried proper credentials to Poughkeepsie. In this document he was recommended as a proper person for first justice of the Inferior Court of Cumberland County if New York should set up such a tribunal. On June 5, he, with fourteen others, was appointed Justice of the Peace for Cumberland County. He was also appointed, with two others, "a commissioner to administer the oath of office to all civil and military appointees." His son Timothy was appointed sheriff and also adjutant of the military organization.

On September 11, 1782, following a series of drastic measures taken by the Vermont government against the New York faction, Charles

[1] *Public Papers of George Clinton*, v. 311–312.

Phelps was chosen by a number of that faction in Cumberland County as their agent to bring their problems before Governor Clinton and then before Congress. On that very day a warrant had been issued by the Vermont authorities for Phelps's arrest, and he did not dare to go home to his family, but set out at once upon his mission. He was pursued for some miles by a posse of eight or ten men, but escaped from them and went to the home of his son in Hadley, Massachusetts. My great-great-grandmother, Elizabeth Phelps, the daughter-in-law of the judge, writing in her diary in the house in Hadley, made the following entry: "Sept. 14 Satt. . . In the afternoon Father Phelps came here, there has been great commotion there about a new State, got to Bloodshed but no-one Killed yet as we know of." She notes further that he set off for New York the following Wednesday. Charles Phelps arrived at Poughkeepsie on September 20, and stayed there until October 1, when, in spite of Clinton's attempts to dissuade him, he started for Philadelphia. It was undoubtedly in Poughkeepsie and at this time that Phelps's twelve-page pamphlet, *Vermonters Unmasked*, was printed by John Holt, a New York printer who had left that city for Poughkeepsie just before the British occupation.[1]

Phelps appeared before a committee of the Continental Congress on October 8, 1782. In a letter to Governor Clinton, October 9, 1782, James Duane, a New York delegate, wrote from Philadelphia:

> . . . Mr. Phelps has arrived and I believe his Eloquence will be well employed. He has opportunities; his singularity draws attention, and he overflows in the plenitude of his Communicative Powers. He is, however, terribly distressed; without Cloaths fit for the season: without money or Credit to pay for his board: and leaning on the scanty support which the exhausted purses of your Delegates can afford. What is to be done for him?[2]

On October 10, Charles Phelps presented his memorial to Congress.[3] He continued his communications to that body throughout the fall although his money was exhausted and he was in great want and depended to a considerable degree upon charity for the food that he ate. Indeed his friends in Congress were fearful that he would be arrested and imprisoned for the debts which he had incurred in Philadelphia, but at last he obtained a loan and cleared up his obligations. Congress adopted Resolutions in behalf of the New York faction in Vermont on December 5, 1782, and on December 9 Phelps set out on his return, going by way of Poughkeepsie and arriving at his home in Marlborough in January, 1783. In

[1] For information regarding this excessively rare pamphlet, I am indebted to Mr. Jones.

[2] *Public Papers of George Clinton*, VIII. 44.

[3] See Appendix, below.

his absence the contents of his house, including his library, which was supposed to be the finest in Vermont, had been seized and sold under the hammer. All his documents were burned at this time.

That Charles Phelps was undoubtedly very unpopular in Vermont is seen by the following extract from a letter of the governor, Thomas Chittenden, to the president of the Continental Congress written on January 9, 1783:

But admitting that Congress have a judicial authority to control the internal police of this state, this state has an incontrovertible right to be heard in its defence, as a party (in law), and should, on this thesis, have been cited by Congress to a hearing at their tribunal, previous to their having passed their resolutions on the 5th of December last, this state might have had the privilege of vindicating its cause. But that Congress, at the special instance of Charles Phelps (a notorious cheat and nuisance to mankind, as far as his acquaintance and dealings have been extended), should come to a decision of so important a matter, *ex parte*, is illegal, and contrary to the law of nature and nations.[1]

Charles Phelps's property had been confiscated, as has been noted. His son Timothy, who had been banished from Vermont in October, 1782, and had returned the following January, was imprisoned in Bennington during the first half of the year 1783. Charles Phelps actually was not arrested until January 4, 1784. He was imprisoned in the jail in Westminster and was tried on February 3. He pleaded not guilty to the charge of resisting arrest and was sentenced with others to pay the cost of prosecution. To the charge of being hostile to the State of Vermont he pleaded guilty; he was adjudged "attainted of Treason" and sentenced to sixty days' imprisonment and forfeiture of all his estates to the use of the State.

An attempt was made at about this time to recapture Timothy, who was in hiding at his brother's home in Hadley, Massachusetts. In Elizabeth Phelps's diary we read as follows:

Jan. 19, 1784 Monday five men came to take Brother Timothy they abused my husband and took Tim. Went off. We had a most Dreadful fright, but Blessed be God no lives lost. My husband went to Col. Porter's, a number of men pursued em brought em back. Tuesday had court in Northampton. Brother [Timothy] went on to New York.

On October 27, 1784, a bill was passed granting the Phelps family full pardon. The sentence of the Supreme Court against Charles Phelps was rescinded, and all that remained of his property was restored to him, thus saving him from beggary and ruin. As a result of all his losses the State of New York in 1786 granted him 508 acres in Montgomery County, New York, in the township of Jericho.

[1] Quoted in Hall, *History of Eastern Vermont*, p. 483.

What of Charles Phelps after this turbulent period was over? He was never reconciled and spent most of his declining years writing and pleading for the New York cause. He saw the Federal Constitution adopted, for he lived until 1789. Before he died he was convinced that Vermont would soon be recognized as an independent State, and so it was on March 4, 1791.

How can we further appraise the intellectual attainments of this man? His grandson John reports this conversation with Micah Townsend, a distinguished jurist, formerly of New York, who, because of his Loyalist sympathies, had left that city for Brattleborough at the outbreak of the Revolution. There he spent the remainder of his life. John Phelps quotes him as follows:

> Sir, I knew your grandfather well . . . [He] was a much greater man than your father, or ever you will be . . . It has been my fortune to act with and against your grandfather on many great occasions. I have known all the men who have ever acted an important public part in this State. Among them all your grandfather was the most learned, the ablest, and the readiest upon all occasions of any one I have ever acted with or against, save one. Nathaniel Chipman . . . was his only superior. But he . . . in my opinion has a mind all but unsurpassed among men.

It is interesting to note that when the Phelps library was confiscated the choice of these books was allotted by the Vermonters to Nathaniel Chipman and Micah Townsend. Perhaps this tribute is inspired by a sense of gratitude. At any rate, we may accept this view of his contemporary and former enemy for what it is worth. Certainly Charles Phelps had a vivid and active life. What if only the timorous deer and the drumming partridge visit his tomb? He has left a deep impression on the tablets of one of the most rugged States of the Union.

Appendix

Charles Phelps's Memorial to Congress[1]

To the Honorable United States in Congress assembled

THE Memorial of Charles Phelps of the County of Cumberland in that Part of the State of New York commonly the New Hampshire Grants, humbly sheweth that your Memori[a]list with a great Majority of the Inhabitants of the said County are attached to the Gover[n]ment of the State of New York and profess to owe Allegiance to the same: That by the Resolutions of Congress of the 21st of September 1779 and the 2d of June 1780 Those Inhabitants considered themselves protected and secured in their Persons and Properties from any Authority

[1] The original MS. is in the Library of Congress.

which might be attempted to be exercised over them (either civil or military) by the pretended state of Vermont, especially as those Resolutions of Congress, so wisely adopted to preserve the Peace of that District of Country, have been religiously observed by the Inhabitants professing allegiance to the State of New York and New Hampshire, who are by far the greatest number of Inhabitants residing on the East Side of the Green Mountains, west of Connecticut River, and in no Instance have been violated by them, in exercising any Authority under the State of New York, over those Inhabitants who profess to owe Allegiance to the pretended State of Vermont.—That the said pretended State of Vermont in direct Violation of the said Resolves of Congress in the month of June last did make & publish a pretended Act, inflicting the most cruel & unheard of Penalties on such of the Inhabitants residing on the New Hampshire Grants, who should not submit to the authority of their usurped Gover[n]ment, a Copy of which Act is herewith presented to Congress for their inspection; And Ethan Allen (who holds a Commission of Colonel under the United States) in pursuance of the said Act and in obedience to the Authority of Vermont, so called, did in September last past with some Hundreds of armed men make a sudden Decent [*sic*] upon the said County of Cumberland and has taken and confined in Prisons a Number of reputable Inhabitants of the said County, perticularly the High Sheriff & other officers both civil & military, holding commissions under the Authority of the State of New York, some of whom have been fined in large Sums, Others are condemned to Banishment not to return on Pain of Death, and their Estates Confiscated; and to add to their Affliction, tis said & believed they will be sent into Canady to be delive[re]d up to that Power with whom the Executive of the said pretended State of Vermont, the last year, made a Treaty of Alliance.

That your Memorialist is duly authorised by a Convention of the County of Cumberland to lay before the United States in Congress Assembled the unhappy and deplorable Scituation of such of the Inhabitants of the said County as profess allegiance to the state of New York, as by the Certificate of the Cha[i]rman of the said Convention herewith presented, more fully may appear;

Wherefore your Memorialist humbly prays, that Congress would immediately interpose by their Authority for the Relief & Protection of those unhappy sufferers who are now Prisoners or banished, and to prevent any violences of the like kind in future; This Protection and relief they humbly conceive they have a Right to expect and receive as good Citicens of the United States professing Allegiance to the state of New York, & having inviolably observed those Resolutions of Congress which intitles them to the Notice & Protection of the United States.

Your Memorialist further begs leave to observe that unless a restoration of Property is ordered, and the Authority of the United States interposed for the Preservation of that Peace, which by their Resolves they have declared to be so necessary to the foederal Union & which they were determined to support & maintain, many Hundreds of Families owning Allegiance to the state of New York will soon be reduced to a state of the greatest Poverty and misery, which will evidently appear by a Number of affidavits and other Papers herewith presented to your honorable Body relative to the violent Proceedings of the Vermont-

ers in pursuance of their said pretended Act, besides the Information your Memorialist is able to give of the Present state of that District of Country if he should have the Honour to be heard before a Committee of Congress on that subject, and your Memorialist as in duty bound shall ever pray

CHARLES PHELPS

Mr. GEORGE P. ANDERSON commented on Dr. Huntington's paper as follows:

I AM interested in this study of Charles Phelps, first because I am a native Vermonter, and second because my great-great-grandmother, Ruth Phelps, of Northampton, Massachusetts, is identified with this same Phelps family. I suppose I am a distant kinsman of Dr. Huntington.

The Vermont career of Charles Phelps is complex and somewhat bewildering. Let us assume that he was honest in his contentions. He was, none the less, on three sides of a changing political scene, and, first and last, never got anywhere. Moreover, he did all he could for more than twenty years to embarrass the constructive plans of those who were trying to erect an independent State.

Phelps started out with various tracts of land in the New Hampshire Grants, so called, which he had secured by purchase from Benning Wentworth. If he had steadfastly identified himself with the party that supported those New Hampshire titles, he would have come out all right, and he would have retained all that he ever had in Vermont land titles. But he switched to the New York party, and although the New Yorkers refused to confirm his earlier titles, he continued to adhere to the New York group despite rebuffs, and remained a partisan in their camp for a long period of years—too long for his own good. At last, an old man and in desperate financial straits, concluding that he would meet with no ultimate success in the group he so long had supported, he switched again and made a determined effort to induce the lawmakers of Massachusetts to set up an ancient claim to the southern part of what is now Vermont, which, if successful, would have brought fifty towns in that section under the jurisdiction of Massachusetts. This last move doubtless was based on the hope that Congress might consent to a division of the whole disputed territory, and give New Hampshire, New York, and Massachusetts each a slice.[1] The appeal by Phelps to the Massachusetts lawmakers aroused no enthusiasm, and for the third time this determined but erratic advocate was tied to a futile plan. If he had only favored the Haldimand negotiations initiated by the British, which were based on a hope that what is now Vermont

[1] This proposal is said to have been made in view of the partition of Poland of 1772.

would return as an English colony, his cycle of mistakes would have been complete.

In his own day Phelps was regarded as a trouble-maker, and his record as unfolded here today shows, I think, that he was a trimmer. You have heard what Governor Thomas Chittenden said about him, and Chittenden was very patient and long-suffering. To be sure, Chittenden and Phelps belonged to opposite political parties, and allowance must be made for the tension of the times, but I have always regarded Phelps as a disturbing element who jumped from one dilemma to another and never landed on solid ground. He was on all sides but the winning one. His last five years, 1784–1789, were spent in comparative quiet, thanks to the indulgence of the settlers who had erected an independent republic and ruled it firmly and wisely from 1777 until Vermont was admitted as a State. Phelps never was reconciled to the Vermont party, his attitude being totally different, for instance, from that of Robert E. Lee after the Confederate cause was crushed.

Charles Phelps was a lawyer of the type that believes in persistent litigation. He may, however, have felt that he was in the same position as a present-day attorney who not long ago was arguing a case in court when the presiding justice interrupted him by saying: "Were you not here a short time ago in another case, urging an argument exactly opposite to the one you now are offering?" "Yes, I was, your Honor," replied the lawyer, "and I figure that I cannot be wrong in both instances." Perhaps Phelps thought that he eventually would emerge a winner from some of his forums. But he never did win. His descendants have had better luck, for the name of Phelps is honored in Vermont, in Massachusetts, and elsewhere. The best that I can say for Phelps is that his motive throughout was to save his home. I have said that he was a trimmer, and in my opinion he was, but it might be fair to say that he was a conscientious trimmer—whatever that may be.

Most of the settlers of Vermont were kept in a similar quandary for nearly a generation. But, unlike Phelps, they were not wranglers, and few of them displayed his shifting qualities. It is difficult for us at this distance to understand or appreciate considerations that prompted the acts of the settlers of that period. In the last analysis the unrest in Vermont shows two sets of land-jobbers striving to dominate the district where titles were in dispute. There is little to choose between them.[1] A huge stake was on

[1] In my opinion the most illuminating discussion of the existence of land-jobbery by both parties in the New Hampshire Grants is to be found in *The Vermont Settlers and the New York Land Speculators*, an 188-page pamphlet printed in 1894 by Reuben Clark Benton, a native Vermonter.

the board, and the winner of the game was entitled to a rich reward. On one side were the New Hampshire titles, first in the field and valid when made. At a later period, when the king had decided in favor of New York, that province appeared to be on top, and it doubtless would have been a winner if the American Revolution had not knocked into a cocked hat any royal decrees applying to land in this country.

At the juncture under discussion, men whom I shall call "the Connecticut machine," relying upon old New Hampshire titles that were supposed to have lapsed for breach of condition, entered the field and proceeded to take steps to make their titles good. Most of these lapsed titles had been bought for a song. In this Connecticut machine were the Allens, Ethan and Ira, Thomas Chittenden, and a host of other resolute men. They confronted the New York land-jobbers, of whom James Duane was a leader and Governor George Clinton one of the most belligerent figures. These two parties clashed, and neither ever lost sight of the main chance. The Connecticut group, to which were added a few Massachusetts figures, and most of the Wentworth grantees, who had stubbornly held to their soil in the face of attempted New York evictions, were on the soil and refused to yield. Had the New Yorkers been tactful, they might have had with little dispute the greater part of what is now Vermont. But they insisted that by virtue of the Crown decree they were entitled to receive fees a second time from the settlers who had already bought titles from the Wentworth régime. Some settlers having ample resources bought the land a second time, but the great bulk of yeomen rose in anger, the row spread and reached such proportions that it was not ended until a new State was created and recognized.

One political consequence which might have occurred if New York had established control over the section now known as Vermont may be noted in the presidential election of 1884 when James G. Blaine would have been chosen president instead of Grover Cleveland. In the official canvass Cleveland carried the Empire State by the narrow margin of 1,149 votes, the figures being: Cleveland, 563,154, while Blaine had 562,005. In Vermont Cleveland had only 17,331, while Blaine received 39,514 votes.[1] If we can believe that the political complexion of the people living in Vermont in 1884 would not have been materially different if that tract for a century had been a part of the State of New York, then it is easy to see that Blaine would have carried New York by a plurality of more than 20,000 votes and would have been elected.

I shall not pursue in detail this vein of speculation, but it can easily be seen that in any state-wide election in New York that was carried by the

[1] The election figures given herewith are taken from the *World Almanac*, 1937.

Democratic party by a plurality, say, of less than 20,000 votes the result might have been reversed if the section known as Vermont were embraced within New York limits. The fate of governors and senators, and the complexion of the Assembly and of the State Senate might on several occasions have been changed. Vermont, as we know, is to date the only State that never has been carried by a Democratic candidate for president or governor. This, to be sure, is all speculative, but the subject matter may interest students of colonial politics and statecraft.

One other political event of consequence may have resulted from the failure of the State of New York to maintain jurisdiction over the district now known as Vermont. That consequence is enmeshed in the political manoeuvres that led to the final selection of the capital of the new nation.[1] The city of New York had been selected in January, 1785, as the temporary seat of Congress. It was well understood that the selection was temporary, but that body continued to hold its sessions there for more than three years. When, early in July, 1788, Congress was officially notified of the ratification of the Constitution by eleven of the thirteen states, sharp rivalry broke out once more among the various States over the selection of a place for the inauguration. New York, of course, desired the honor and confidently expected to receive it; but it was not until more than twenty ballots had been taken that New York was finally selected as the place where George Washington should be sworn in as our first president.

This decision, although for the moment settling the issue in favor of New York, was far from clinching victory with finality. The dispute over a final site for the capital went on, and the contest had many acrimonious features. The dispute was in a great degree sectional in character, and the southern states were strenuous in their demand that the seat of government should be in their part of the country. Kentucky, then the western section of Virginia, had, with the consent of Virginia, applied to Congress for admission to the Union. The New Yorkers did not wish another southern State to be created. The politicians stalled for time, and the question of Kentucky's admission was by agreement postponed in July, 1788, until the new government had been inaugurated.[2]

It was a foregone conclusion that Kentucky would be admitted as a State, and the politicians of New York, if unscrupulous and unbelievably

[1] See Hiland Hall, *Early History of Vermont*, p. 444, for a statement of the bearing of the admission of Vermont into the Union upon the prospective choice of the permanent seat of the Federal Government. See also James B. Wilbur, *Ira Allen*, II. 1–2.

[2] A summary of the case of Vermont, then an applicant before Congress for admission to the Union, dated May 1, 1782, and prepared by James Madison of Virginia, then in Congress, is found in Madison's *Papers*, I. 122. It is also in Hiland Hall, *Early History of Vermont*, pp. 406–408.

selfish, were alert enough to see the handwriting on the wall. Kentucky was potentially another vote to carry the capital to the South. How could they offset this? It was easy to see that the admission of a northern State would leave the contest on an even basis. At this juncture they initiated efforts to hurry along the admission of Vermont before Kentucky should be admitted. It was a crafty move, worthy of the statesmen of New York. But it failed chiefly because the Vermonters were slow to confer any benefits upon the men who for more than thirty years had been their enemies. The New Yorkers argued that it would be more to the advantage of Vermont to have the capital near at hand rather than at a long distance to the South. Travel distances were factors of great importance in those days, but human nature is always strongly displayed in a long-drawn controversy. The sop thrown out by the New Yorkers was regarded as a case of deathbed repentance, and the Vermonters proceeded leisurely to examine the olive branch extended by their long-time adversary. Vermont had no public debt, and some of her statesmen were not anxious to have her join the Union. Neither were they in any great hurry to accommodate New York, and negotiations dragged along. Vermont finally went into the Union ahead of Kentucky, but New York, beyond a money payment, reaped no benefit from that fact.[1] Admitted in 1791, Vermont was able to be included in the federal census of 1790, as that undertaking was not completed within the twelve months of 1790. Kentucky, admitted in 1792, did not get into the census.

Meanwhile New York had lost the prize of having the capital. Negotiations looking to the early admission of Vermont, despite the helping hands of Alexander Hamilton and John Jay of New York, took so long that the extra vote from the North was non-existent. If Vermont promptly had let bygones be bygones, there is a possibility that New York might have won.

The rivalry in the South ended with Maryland and Virginia ceding to the government certain tracts of land, and the District of Columbia was created, and the issue settled forever. It is interesting, however, to speculate as to what might have happened in 1788 or 1789 if in 1782 the politicians of New York, when Congress was willing, except for the opposition of New York, to admit Vermont to the Union, had given up their land-jobbing fight and substituted statecraft for the policy of greed. This

[1] For an account of the distribution of the $30,000 paid by Vermont to New York as a condition of the latter's withdrawal of all claim to Vermont lands, see Hiland Hall, *Early History of Vermont*, pp. 506–511. There were seventy-six claimants who shared in the total, the sums varying from $2,655.03 to $9.98, most of the claims being small. Most of the original claimants were dead when the distribution finally occurred, April 23, 1799.

is purely historical speculation—one of the "might-have-beens" of that early formative period. The persistent demands of the Shylocks of New York for their pound of flesh may or may not have deprived New York of the capital. There is a good chance that it did. In colonial history there are many instances of greed, sometimes for office but usually for domain. Few more sinister shadows can be found anywhere than that cast by the persistent New Yorkers who finally pocketed their thirty pieces of silver.

Mr. ALBERT MATTHEWS presented the following communication:

Documents

Relating to the Last Meetings of the Massachusetts Royal Council, 1774–1776

THE sixteenth volume of the Council Records in the Massachusetts Archives ends with the meeting of May 14, 1774, while the seventeenth begins with the meeting of July 26, 1775, under the patriot government. When preparing over twenty years ago my "Notes on the Massachusetts Royal Commissions, 1681–1775,"[1] I asked at the State House whether there were not some records of the Council after May 14, 1774, but none were forthcoming. When, however, proofs came in of Mr. Oliver Elton's interesting paper, "Lieutenant-Governor Thomas Oliver, 1734–1815,"[2] I made another attack on the Archives and was rewarded by the production of a volume of which the contents are here printed. The title fairly describes those contents,[3] which are not original documents but copies of papers relating to the Council in the last two years of the royal government obtained from the State Paper (now the Public Record) Office in London in 1852. Here will be found letters from Gage, Oliver, and the Council to Dartmouth, with his replies; an instruction to Gage; the proceedings at nine Council meetings; lists of Councillors; addresses of the Council to Gage, Oliver, and the king; letters from several Mandamus Councillors or their relatives detailing the violent meas-

[1] Our *Publications*, XVII. 2–111. [2] *Id.*, XXVIII. 37–66.

[3] It is a thin folio, bound in green cloth with back and corners in black leather, and on the front cover is pasted a piece of black leather, on which is printed in gold letters the title. Of Amasa Walker (1799–1875), who was Secretary of State of Massachusetts in 1851–1853, there is a sketch in the *Dictionary of American Biography;* and of Robert Lemon (1800–1867), to whom "the suggestion of forming and publishing the 'Calendars of State Papers' is due," there is a sketch in the *Dictionary of National Biography.*

ures taken by the patriots to compel the former to resign from the Council; the oaths taken by Oliver on October 25, 1775, when he became acting governor; and descriptions of conditions in the Province and in Boston during the siege. Though some of the material has already appeared in print, much of it is new, and all comes directly from the actors in the drama themselves.

Of the value of the new evidence no better illustration can be given than the light it throws on Oliver's resignation from the Mandamus Council, correcting some points in regard to which Mr. Elton was under misapprehension. Oliver's resignation was extorted from him under threats on September 2, 1774. On that day he firmly promised and engaged "*as a Man of Honour and a Christian, that I will never hereafter upon any Terms whatsoever accept a Seat at said Board on the present novel and oppressive Plan of Government.*"[1] Yet he is stated to have said on October 12, 1784, that "As soon as he got into Boston under the protection of the Kings Troops he reassumed his Office."[2] Mr. Elton made a gallant attempt to defend Oliver from the charge of having gone back on his word, remarking that "an Englishman and a descendant may breathe a fleeting wish that Oliver could have told his persecutors to go to the nether regions"; and continued: "There is, indeed, no doubt that he remained Lieutenant Governor." Of course that statement is accurate,[3] but then Mr. Elton went on to say:

On the face of it, the only office he could *re*-assume was his post on the Council. But this surely cannot be supposed. Not only would it have been out of his char-

[1] The extracts in this paragraph quoted from Mr. Elton's paper are from our *Publications*, XXVIII. 51, 52, 57–58, 59.

[2] After May 14, 1774, the only meeting of the Council under the Province charter of 1691 recorded in the documents here printed took place on June 9, 1774; but as Oliver did not become lieutenant-governor until August 8 following, he of course was not present at that meeting. The Mandamus Council, as these documents show, met on August 31, 1774, and on July 17, 20, October 9, 25, 26, 28, and 30, 1775. Why there was no meeting of the Council between August 31, 1774, and July 17, 1775, is explained in Oliver's letter to Dartmouth of December 9, 1774: "General Gage has no doubt acquainted Your Lordship that since the 2d of September, the Province has been in such a state of confusion, in which the People have so far put an end to all law and order, that the direction of Government has been rather in the line of a General than that of a Governor. And as the forms of a Council under these circumstances, and the Prejudices of the People would only tend to encrease their violences, and add to his difficulties and embarrassment; upon these reason I presume he has avoided calling one." Thus instead of reassuming his seat in the Council "as soon as he got into Boston" in September, 1774, Oliver did not do so until July 17, 1775. It is not surprising that after the lapse of a decade Oliver's memory, if indeed he used the exact words attributed to him, should have been slightly at fault.

[3] In his discussion of that point, Mr. Elton remarks that some writers call him "Governor Oliver," and goes on to say: "It is probable, however, that between Gage's departure

acter to go back on his word; but any such action would have led to a tempest of abuse, not undeservedly, from the patriots; and of this we could not fail to have a record. I suggest that the re-assumption was simply that of his Lieutenant Governorship, which, though technically never abandoned, had been, *de facto*, interrupted by the crisis. In Boston, at any rate, he could function.

Now Oliver's lieutenant-governorship was not in question; his resignation from that position had been neither requested nor made; and the office he reassumed was of course his place in the Council. It is a little difficult to understand why Mr. Elton should have been so worried over his ancestor's action, for a promise exacted under threats of ill-usage is not generally regarded as binding; yet it is interesting to find that Oliver himself suffered real agony of mind before deciding to disregard his promise. This is abundantly clear from his letters to Dartmouth of September 3, 10, and December 9, 1774.

on October 10, 1775, and Oliver's on March 17, 1776, the latter was *acting* Governor, although officially entitled 'Lieutenant Governor.'" It is not "probable" but certain that such was the fact. In the years 1694–1771, because either of the absence from Massachusetts or of the death of the governor, five lieutenant-governors became acting governors, and, oddly enough, each of them served twice in that capacity. William Stoughton was acting governor from December 4, 1694, to May 26, 1699, and again from July 22, 1700, to his death on July 7, 1701; William Tailer, from November 9, 1715, to October 5, 1716, and again from June 11 to August 10, 1730; William Dummer, from January 2, 1723, to July 19, 1728, and again from September 10, 1729, to June 11, 1730; Spencer Phips, from September 15, 1749, to August 7, 1753, and again from September 25, 1756, to April 4, 1757; and Thomas Hutchinson, from June 3 to August 2, 1760, and again from August 2, 1769, to March 14, 1771, when he himself became governor. A lieutenant-governor never (except, as in the case of Hutchinson, through a new commission) became governor; and when serving as acting governor was never addressed as "His [or Your] Excellency," but always as "His [or Your] Honor." Cf. our *Publications*, XVII. 48, 49, 51, 52, 61, 68, 71, 72, 76, 82, 85, 92, 109, 110. And now a sixth must be added to the list of acting governors, for on October 25, 1775—Gage having departed on the tenth—Oliver took the usual oaths that "he would faithfully perform the duties of Lieutenant Governor & Commander in Chief of the Province, according to his best skill and judgment"—just as if nothing had happened! Certainly Oliver played the game to the bitter end. His salary as lieutenant-governor continued to be paid up to October, 1782. The words "according to his best skill and judgment," or some slight variation of the words, are found in the oaths taken by Hutchinson, November 26, 1761, on becoming lieutenant-governor, again, August 2, 1769, on becoming acting governor, and for a third time, March 14, 1771, on becoming actual governor; by Gage, May 17, 1774, on becoming governor; and by Andrew Oliver, March 14, 1771, on becoming lieutenant-governor. Cf. our *Publications*, XVII. 84, 86, 87, 95.

Letters & Doings of the Council &c., between April 9, 1774 & April 21, 1776

State Paper Office
London, 2 September 1852

Sir

In conformity with your letter of the 30th June last, I endeavoured to trace out such notices of the minutes of the Council of Massachusetts Bay as might be found in the Correspondence here, subsequent to the 14th of May 1774, at which date the regular series of Minutes ceases. But observing such notices of minutes to be very fragmentory and meagre, it occurred to me that I should be able to procure a more lucid view of the transactions of the Council, by extracts from the Correspondence of the period, referring exclusively to their proceedings. The result of my labors confirms me in my opinion, that after the 14th of May 1774 above alluded to, no regular transmission of minutes of Council, to England, ever took place; and I feel pretty well assured, that by a careful perusal of the series of extracts now sent, you will arrive at the same conclusion.

I think there can be no doubt that the singular minute of Council of the 28th of October 1775, and the following one of the 30th of that month, were the last instances in which that body exercised its powers; and the state of Boston, according to Governor Oliver's letter of 26 Jany 1776, clearly shews that for some considerable time prior to that date, all civil Government had been in a dormant state, and from that period there is no evidence of the exercise of any of the functions of Council, till at last the remnant of its members merged in the population of Halifax.

If the mode I have pursued in thus tracing out the course of the Council to its extinction, meets with your approbation, I shall be very much gratified.

I have the honor to be
Sir,
Your most obedient
& very humble Servant
Robt Lemon [2]

The Honorable
Amasa Walker, Esq

Proceedings in Council of the Province of Massachusetts Bay;

extracted from Documents in Her Majesty's State Paper Office, London. [3]

SECRETARY THE EARL OF DARTMOUTH TO GENERAL GAGE, 9 APRIL 1774. EXTRACTS

S. P. O.
Mass^{ts} Bay
Vol. 157

Whitehall 9th *April* 1774.

SIR . . .

I send you herewith, by His Majesty's command, a Commission under the Great Seal, appointing you Captain General and Governor in Chief of His Majesty's Province of Massachusetts Bay; together with such Instructions as have been usually given to Governors of that Province for their guidance in the exercise of the ordinary and more permanent Powers and Authorities incident to that command. . .

You will observe Sir, that I have throughout the whole of this letter, avoided making any [4] mention of the Council for the Province of Massachusets Bay, and I have been thus silent with regard to them, from an apprehension that from what has already appeared respecting their conduct, any hope of proper Advice or assistance from them would be vain: at the same time I do not mean that any Constitutional power or authority vested in them, should be set aside by any part of these Instructions, or that you should not be at liberty to give them full confidence and communication, in case you shall perceive such an alteration in their conduct as will justify such a behaviour towards them.

There are however some amongst those who constitute the present Council there, upon whose attachment to the Constitution no reliance can be had in any case where the Sovereignty of The King in his Parliament is in question; and His Majesty thinks it essential to the due support of that Sovereignty, that the principal of those who insisted upon the Report of the Committee of the Council on the 27th of *September*[1] last, in which Report that Sovereignty is questioned, at a time when the execution of the Laws was openly opposed by force and violence, should not have Seats at the Council Board. It is therefore His Majesty's pleasure that if those Persons, or any of them, shall be chosen at the next General Election, you do put your negative upon such Election. . .

I am &^{c}
DARTMOUTH [5]

[1] Here Mr. Lemon has underlined "September" and has written in the margin: "sic q Nov^{r}." The correct date is November 27, 1774: see p. [9], below.

ADDITIONAL INSTRUCTIONS TO GENERAL GAGE 20 MAY 1774

S. P. O.
Mass^{ts} Bay
Vol. 87 B.T. p. 19

1774 *May* 20 Additional Instruction to our Trusty and Welbeloved Thomas Gage Esqr our Captain General and Governor in Chief, in and over our Province and Territory of the Massachusetts Bay in New England in America. Given &^{c}[1]

WHEREAS by an Act passed in the present Session of Parliament intituled "An Act for the better regulating the Government of the Province of the Massachusetts Bay in New England," it is amongst other things enacted and provided that from and after the 1st day of August 1774, so much of the Charter granted by Their Majestys King William and Queen Mary to the Inhabitants of the said Province of the Massachusetts Bay in New England, and all and every clause matter and thing therein contained, which relates to the time and manner of electing the Assistants or Counsellors for the said Province, be revoked, and it is thereby revoked and made void and of none effect, and that the Offices of all Councellors and Assistants elected and appointed in pursuance thereof shall from thenceforth cease and determine [6] and that from and after the said first day of August 1774 the Council or Court of Assistants of the said Province for the time being, shall be composed of such of the Inhabitants or Proprietors of Land within the same, as shall be thereunto nominated and appointed by Us our Heirs and Successors from time to time, by Warrant under Our or their Signet or Sign Manual, and with the Advice of the Privy Council, agreable to the practice now used in respect to the appointment of Counsellors in such of our other Colonies in America, the Governors whereof are appointed by Commission under the Great Seal of Great Britain: Provided that the Number of the said Assistants or Counsellors shall not at any one time exceed thirty six nor be less than Twelve. It is therefore our Will and Pleasure that so soon as the time limited by the said Act for the continuance of the Council or Court of Assistants for our said Province, elected and chosen by the General Court or Assembly pursuant to the said Charter shall have expired, you do forthwith call together the following Persons, whom We do with the advice of Our Privy Council and in pursuance of the said Act, hereby nominate and appoint to be Our Council or Court of Assistants for our said Province of the Massachusetts Bay in New England for and during our pleasure:—Thomas Oliver Esqr Our Lieutenant Governor of our said Province or Our Lieutenant Governor of our said Province for the time being, Thomas Flucker, Peter Oliver, Forster Hutchinson, Thomas Hutchinson, Harrison Grey, Samuel Danforth, John Irwin, James Russel, Timothy Ruggles, Joseph Lee of Cambridge, Isaac Winslowe, Israel

[1] The following note is in the hand of Mr. Lemon: "These were Draft Instructions, proposed by the Board of Trade on the 20th of May, which were referred to the Privy Council on the 25th of that month, and agreed to and reported on the 1st of June following; the only alterations in the Names being that of John Erving Senior instead of John *Irwin*, and the substitution of John Erving Junior for the last name *William Cucking*."

Williams of Hatfield, George Watson of Plymouth, Nathaniel Rae Thomas, Timothy Woodbridge, William Vassal, Joseph Greene, William Browne of Salem, James Bouteneau, Andrew Oliver [7] of Salem, Josiah Edson of Bridgewater, Richard Letchmere, Joshua Loring, John Worthington, Timothy Paine, William Pepperell, Jeremiah Powell, Jonathan Simpson, [John] Murray of Rutland, Daniel Leonard, Thomas Palmer, Isaac Royal, Robert Hooper of Marblehead, Abijah Willard, and William Cucking Esquires.

And it is Our further Will and Pleasure that you do upon the first Meeting of our said Council or Court of Assistants, and before any other business is proceeded upon, administer to each of the Members thereof the Oaths, and also cause each of them to make repeat and subscribe the declaration required, as well by the said Charter as by any Law or Laws of our said Province now in force, to be taken made repeated & subscribed by the Assistants or Counsellors who have been so elected and constituted by the General Court or Assembly under the Authority of the said Charter; and it is our further Will and Pleasure that you do permit the Members of our said Council, to have and enjoy freedom of Debate and Vote in all affairs of Public concern that may be debated in Council, and also all the powers, privileges and immunities at present held exercised and enjoyed by the Assistants and Counsellors of the said Province, constituted and elected from time to time under the said Charter as aforesaid, except only in such cases as are otherwise provided for by the said Act of Parliament intituled "An Act for the better regulating the Government of the Massachusetts Bay in New England." And it is our further Will and Pleasure that you do from time to time as vacancys may happen in Our said Council, transmit unto Us, by one of our Principal Secretaries of State, the name or names of any person or persons, Inhabitants or Proprietors of Lands within our said [8] Province, whom you shall esteem the best qualified for that Trust. But you are not of your own authority to appoint any person or persons to be a Member or Members of our said Council nor to augment nor diminish the number thereof, as it may from time to time be constituted & appointed by Us our Heirs and Successors.

And whereas we are sensible that effectual care ought to be taken to oblige the Members of Our Council to a due attendance therein, in order to prevent the many inconveniencies that may happen for want of a Quorum of the Council to transact business as occasion may require; It is our Will and Pleasure that if any of the Members of our said Council residing in the said Province shall hereafter absent themselves from the said Province, and continue absent for above the space of Twelve Months together, without leave from you, or from the Governor or Commander in Chief of the said Province for the time being, first obtained under your or his hand and seal, or shall remain absent for the space of two Years successively without Our leave given them under Our Royal Sign Manual, their place or places in the said Council shall immediately therupon become void; and that if any of the Members of the said Council residing in the said Province shall hereafter wilfully absent themselves from the Council Board when duly summoned, without a just and lawful cause, and shall persist therein after admonition, you give timely notice thereof to Us, by one of Our Principal Secretaries of State. And

We do hereby Will & require you that this our Royal Pleasure be signified to the several Members of Our Council aforesaid, and that it be entered in the Council Book of the said Province as a Standing Rule. [9]

Governor Gage to the Earl of Dartmouth 19 May 1774. Extract

Boston May 19th 1774

My Lord . . .

The New Members of the General Court meet on Wednesday next, the 25th Inst to be sworn, and elect the New Council, at which time I shall observe His Majesty's orders respecting the Councillors who drew up and supported the Report of the Committee on the 27th of November last, in case they are reelected. . .

Tho: Gage

Governor Gage to the Earl of Dartmouth. Extract

Boston May 31st 1774

My Lord

Since my last of the 19th Instant, the General Court assembled here to be sworn, & elect the Members of His Majesty's Council. The inclosed paper will inform Your Lordship of all that passed on the occasion; in which you will observe that I refused my consent to the Election of thirteen of the New Counsellors. The three first on that list were of the Old Council who drew up the Report of the Committee of Council on the 27th of November last, and the rest either Committee Men for Correspondence or such Persons as I could not approve. [10]

A List of the Counsellors

Elected by the Assembly of the Massachusetts Bay on Wednesday 25th *of May*

Counsellors elected and consented to by the Govr	Counsellors elected and not consented to by the Govr
Samuel Danforth Esq.	Jas Bowdoin Esq.
John Erving Esq.	Saml Dexter Esq.
James Pitts Esq.	John Winthrop Esq.
Artemas Ward Esq.	Willm Phillips Esq.
Benjn Greenleaf Esq.	John Adams Esq.
Caleb Cushing Esq.	Jas Prescott Esq.
Samuel Phillips Esq.	Timothy Danielson Esq.
Richard Derby Junr Esq.	Michael Farley Esq.
James Otis Esq.	Benjn Austin Esq.
William Sever Esq.	Norton Quincy Esq.
Walter Spooner Esq.	Jerathmeel Bowers Esq.
Jeremiah Powell Esq.	Enoch Freeman Esq.
Benjn Chadburn Esq.	Jedediah Foster Esq. [11]
George Leonard Junr Esq.	
Jedediah Prebble Esq.	

EARL OF DARTMOUTH TO GOV^R GAGE 3 JUNE 1774. EXTRACTS

Separate. *Whitehall 3 June 1774*

SIR

Since you left England the Parliament has made a very considerable progress in the American business, and I send you herewith, by the King's command, two Acts, to which His Majesty gave the Royal Assent a few days ago. . .

The Act for the better Regulation of the Government of the Province of Massachusetts Bay provides that from the First of August next, all Elections of the Council under the Authority of the Charter shall be void, and that for the future the Council shall be appointed by the King.

In consequence of that provision His Majesty has, with the Advice of his Privy Council, nominated 36 persons, qualified as the Act directs, to be the Council of Massachusett's Bay from and after the time limited for the continuance of the present Council, and inclosed herewith I send you His Majestys Additional instruction,[1] under the Sign Manual, authorizing and requiring you to assemble the said Council, and containing such further directions as are thought necessary and incident to this new Establishment, and as correspond with the Provisions of the Act in relation thereto.

It would perhaps have been in some respects desirable that it might have been left to the King's discretion to have directed that, in case of the death or absence of both Governor and Lieutenant Governor, the Administration of Government should **[12]** have devolved upon the Senior Counsellor, as in other Governments; but as the Act reserves to the New Council all the Liberties Privileges & Immunities enjoyed by the other, except in the cases provided for, it is apprehended that such direction cannot be given; and for the same reason it has appeared at least doubtful, whether the Crown could delegate to you the powers of Suspension and Appointment to vacancies, pro tempore, exercised in the other Royal Governments.

In this situation it became the more necessary that a Lieutenant Governor should be immediately appointed, and the King having, upon Mr Hutchinson's recommendation, nominated Mr Oliver of Cambridge to that Office, inclosed I send you His Majesty's Sign Manual containing his appointment.

It would have been a great satisfaction if in the choice of the Persons recommended to the King to be of the New Council, we could have procured more perfect and satisfactory information both of the characters and connections of the principal Persons in the Colony, qualified for such a Trust; but the case would admit of no delay, and we have been obliged to make our choice by such assistance as we could procure from those who are supposed to be the best informed.

There is little room to hope that every one of the persons whom His Majesty has appointed to be of his Council, will be induced to accept that honour; for there can be no doubt that every art will be practised to intimidate and prejudice. I trust however that the number of those who decline will not be so considerable as to

[1] Here is written in the margin: "see ante," a reference to p. [5], above.

involve you in any difficulty on that account, or to create any embarrassment in the execution of a measure upon which so much depends. [13]

Whatever vacancies may be created, by any of the present Members refusing to act, ought to be filled up as soon as possible, and therefore you will transmit to me, by the first opportunity, the names of such Persons as you think best qualified for that Trust, and the most likely to give weight and authority to the measures of Government; taking care at the same time not to propose any from whom you have not received assurances of their readiness to accept the Office.

It is to be expected that every artifice, which has been hitherto used with so much success, to keep alive a spirit of Sedition and Opposition in the people, will be exerted on the present occasion, to entangle and embarrass; but the King trusts that by temper and prudence on the one hand, and by firmness and resolution on the other, you will be able to surmount all the obstacles that can be thrown in your way. . .

I am &c

DARTMOUTH

GOVERNOR GAGE TO SECY DARTMOUTH 26 JUNE 1774. EXTRACTS

No 3. *Salem June* 26th 1774

MY LORD

The General Court met here on the 7th Instant. . .

The Council sent me the inclosed Libel on my [14] Predecessors in this Government in an Address, on which account I refused to receive it, sending them the reasons for my refusal, which I also send Your Lordship. . .

I got the consent of Council to my nomination of Mr Justice Brown of the Inferior Court of Essex County, to succeed the late Judge Ropes, as Judge in the Superior Court, and he is appointed and sworn in accordingly. . .

I have the honor to be, &c

THOS GAGE

INCLOSURE

Boston

In Council, June 9, 1774

Ordered that Jeremiah Powell, William Sever and Jedediah Preble Esqrs be a Committee to wait on His Excellency the Governor with the following Address in answer to his Speech at the opening of the present General Court.

THOS FLUCKER Secry

To His Excellency Thomas Gage Esqr Captain General and Governor in Chief of the Province of Massachusetts Bay &c

The Address of the Council of the said Province

May it please Your Excellency

YOUR Speech to the two Houses at the opening of this Session has been duly considered by this Board. [15]

His Majesty having been pleased to appoint you to the Government of this Province, We take this opportunity to wait on you with our congratulations on that occasion.

Your Excellency has arrived at a Juncture when the harmony between Great Britain & the Colonies is greatly interrupted, whereby your Station, though elevated, must needs be rendered less agreeable to you than otherwise it would have been. But if you should be the happy Instrument of restoring in any measure that harmony, and of extricating the Province from their present embarrassments, you will doubtless consider these happy effects as more than a compensation of any inconveniences arising to you from the peculiar circumstances of the times. His Majesty's faithful Council will on all occasions chearfully co-operate with Your Excellency, in every attempt for accomplishing those desirable ends. We wish Your Excellency every felicity: the greatest of a Political Nature, both to yourself and the Province, is, that your Administration, in the principles and general conduct of it, may be a happy contrast to that of your two immediate Predecessors. It is irksome to us to censure any one, but we are constrained to say there is the greatest reason to apprehend, that from their machinations (both in concert and apart) are derived the Origin & Progress of the disunion between Britain and the Colonies and the present distressed state of this Province,—a Province, to which the latter of them, in an especial manner owed his best services, and whose Liberties and Rights he was under every obligation of duty and gratitude to support.

The Inhabitants of this Province claim no more than the Rights of Englishmen, without Diminution or "Abridgement." These as it is our indispensible [16] duty so it shall be our constant endeavour to maintain to the utmost of our power, in perfect consistence however with the truest Loyalty to the Crown, the just Prerogatives of which Your Excellency will ever find this Board zealous to support.

Permit us Sir on this occasion to express the firmest confidence that under their present Grievances, the People of this Province will not in vain look to your Excellency for your paternal Aid and Assistance; and as the great End of government is the good of the People, that your experience and abilities will be applied to attain that end; the steady pursuit of which, at the same time it insures their confidence and esteem, will be a source of the truest enjoyment,—self Approbation.

We thank Your Excellency for the assurance you have given, "that you shall with pleasure concur with the two Houses to the utmost of your power, in all matters that tend to the Welfare and Prosperity of the Province;" and Your Excellency may be assured that we shall contribute everything on our part, to promote measures of so salutary a tendency.

June 14. The Committee appointed to present the foregoing Address, waited on His Excellency therewith yesterday, and read as far as that part which reflects on the Administration of His Excellency's two immediate Predecessors, when he desired the Chairman not to proceed any further, and that he would assign his Reasons for refusing to receive it, in a message to the Council; and on the same day sent by the Secretary the following Message. [17]

GENTLEMEN OF THE COUNCIL.

I cannot receive an Address which contains indecent reflections on my Predecessors, who have been tried and honourably acquitted by the Lords of the Privy Council, and their conduct approved by the King.

I consider this Address as an Insult upon His Majesty and the Lords of his Privy Council, and an Affront to myself.

T. GAGE

GOVERNOR GAGE TO SEC^{Y} DARTMOUTH 27 AUGUST 1774. EXTRACTS

Separate. *Salem August* 27th 1774

MY LORD.

I had the honour to receive Your Lordship's separate letter dated 3^{d} of June,

on the 6th Instant, in which came inclosed two Acts of Parliament for regulating the Government of the Massachusetts Bay, and for the more impartial Administration of Justice in the said Province; together with an Additional Instruction to the Governor, & Mr Oliver's appointment of Lieutenant Governor. . .

No time was lost in forming the New Council. I assembled all the Members who could be collected on so short a notice, on the 8th Instant, & appointed the whole to meet on the 16th. The List inclosed will inform Your Lordship of the names of the Gentlemen [18] sworn in, of those who have refused to accept the nomination, or are wavering, absent, or dead.

The twenty four who have accepted the honour the King has conferred upon them, are as respectable Persons as any in the Province, and the Lieutenant Governour is generally approved of by all parties. I must defer sending Your Lordship recommendations to the vacancys, to another opportunity, for though I have several in my mind, I am first to be assured of their willingness to act, and the number of Counsellors being considerable, gives time to look out for others. Your Lordship judged right that Art would be practised on this occasion to intimidate & prejudice; even force was attempted on Mr Ruggles by a number of People collected on the road near Worcester, with intent to stop him, but he made his way through them.

My former letters have acquainted Your Lordship that the Acts in question had been published here, and People have had leisure to consider means to elude them, in doing which they are very expert. At a Town Meeting held at Boston in July, in order to avoid the *Calling* a meeting afterwards, they adjourned themselves to the 9th of August, and adjourned again on that day to some time in October. I assembled the Select Men in Boston, had the Clause read respecting Town Meetings, told them I expected their obedience to it, that I should put the Act in force, and they would be answerable for any bad consequences. They replyed they had *Called* no Meeting, that a former meeting had only adjourned themselves.

I laid the affair of Adjournments before the New Council, and found some of Opinion that the Clause was thereby clearly evaded, and nearly the whole unwilling to debate upon it, terming it a Point of Law, which ought to be referred to the Crown Lawyer, [19] whose opinion is to be taken upon it, and by which I must govern myself.

Another clause of the Act is likewise referred to the Lawyers, concerning the removal of Sheriffs. Upon intimating to the Council my desire to remove a Sheriff, some immediately objected that it did not belong to the Council, for that the Governour was alone empowered to remove any of the Sheriffs now in office, and that the Act only required Consent of Council, to remove such Sheriffs as the Governor should first appoint by his own authority, & want to remove afterwards.

It was the unanimous Opinion of the Council that an Assembly should be called as early as possible, and Writs will be issued for their meeting by the latter end of October.

The state of the Province was at the same time taken into consideration, and a letter read that I had received from Hampshire County, an extract of which I transmit to Your Lordship; & several Members gave an account of the state of

their respective Countys; from whence it appeared that the Phrenzy had spread in a greater or less degree thro' all; of which I shall write more fully before closing my letter. . .

I have the honor to be, with the greatest regard respect and esteem, My Lord

Your Lordships most obedient
and most humble servant
THOS GAGE [20]

LIST OF COUNSELLORS

Sworn in Augt 8th 1774	*Refused to Accept*
Mr Oliver Lieut. Governor r[1]	Mr Royal
Mr Gray	Mr Hooper
Mr Flucker	Mr Williams
Mr Foster Hutchinson	Mr Russell
Mr Browne	Mr Green
Mr Lee r	Mr Vassal
Mr Loring	Mr John Erving Senior
Mr Winslow r	
Mr Pepperell	
Mr Boutineau	
Mr John Erving Junr	
Sworn in Aug. 16th 1774	
Mr Danforth r	Mr Powell { *Has been summoned but no answer received.*
Mr Chief Justice Oliver	
Mr Paine r	
Mr Ruggles	Mr Palmer, *at Surinam*
Mr Edson	Mr Worthington, { *Begs time for further consideration*
Mr Oliver r	
Mr Thomas Hutchinson r	
Mr Murray	Mr Woodbridge, *deceased*
Mr Willard	
Mr Watson	
Mr Simpson r	
Mr Thomas r	
Mr Leonard	
Mr Lechmere	

[21] EXTRACT OF A LETTER FROM HAMPSHIRE COUNTY, DATED AUGUST 10th 1774

I sincerely congratulate Your Excellency on your appointment and arrival to the Chief Seat in Government, and as heartily wish you may be the happy instru-

[1] Mr. Lemon has appended the following note: "The letter r. has been added to several names apparently at a subsequent period."

ment, under God, of restoring peace, good order and subjection to Government, now almost at an end. Never was a time when such numbers of wise and good men, as well as others, were so infatuated, 'till the present; an enthusiastick frenzy and surprising madness obtains every where; nothing said in the coolest manner avails, but rather irritates. Indeed whoever proposes pacific measures, is considered as an enemy to his country, and threatened with ruin. The source of all this Your Excellency will easily conceive, and from whence propagated. The fences of Law are broken down, and without Your Excellency's aid, our lives as well as property will be much endangered. We rely on Your Excellency's wisdom and power to support and defend us against the fury of the Mob, which are rising in many places, abusing individuals, and, as I am well informed, are determined in case the Royal Assent be given to the two last Bills, to prevent the holding the Courts the ensuing Term in the County of Berkshire, and the same thing is threatened to be done in this County. Even the people of Connecticut have undertaken to reform the laws in this Province, and chastise the King's subjects within Your Excellency's jurisdiction. No attempts, that we hear are made by the Magistrates of that Colony to prevent and suppress the disorders and insurrections. Every measure proposed & pursued seems to be with a view to insult Majesty and widen the breach between this and the Parent State, and even to dare the vengeance of the Supreme Authority [22] of the British Empire, in America, which without some immediate powerful interposition, will, it is to be feared, be felo de se.

Govr Gage to Secretary Dartmouth 25 August 1774. Extract

Separate &
secret *Salem August* 25th 1774

My Lord

Your Lordship's letter Separate and Secret of the 3rd of June has been received. . .

I will here acquaint Your Lordship that the Extract of the letter from the Country, which you will receive by this opportunity, is from Colonel Williams, and written to me to excuse his acceptance of the honor the King has conferred upon him in nominating him a Counsellor. Colonel Worthington, who lives in his neighbourhood, gave the same reasons for not accepting at present, who from the reputation of his abilities, firmness and influence, is of more loss than all the rest who have refused. Royal's refusal is from timidity; Russell, who is a good man, feared the loss of some post he enjoys; Vassall, Green and Hooper, plead age and infirmities, but I believe choose to avoid the present disputes. Mr Irwin, who has not yet decided, has connections with all sides, and would keep well with all, and I apprehend wants to see what turn affairs will take before he gives a positive answer. Mr Powell lives at a great distance, and I suppose has had no opportunity to send an answer; but it is of little consequence whether he refuses or accepts.

[23] Upon the whole I dont apprehend that better men could have been chosen than those who have been sworn in; altho' I found a shyness in several towards giving an opinion about the Adjournment of Town Meetings, and a desire to

throw the removal of Sheriffs now in office, entirely upon the Governor, by a construction of the Act which appeared to me quite foreign to its intent, and contrary to the plain words of it.

I have the honour to be, with the greatest regard respect and esteem, My Lord
Your Lordships most obedient
& most humble Servant
THO^{s} GAGE

P.S. Mr Irwin has since sent his refusal. T.G.

GOVERNOR GAGE TO SECRETARY DARTMOUTH 2 SEPT^{r} 1774. EXTRACTS

N° 11. *Boston September* 2^{d} 1774

MY LORD

Your Lordship's dispatch N° 6 is duely received. Your Lordship will know that the state, not of this Province only, but of the rest, is greatly changed since Mr Hutchinson left America.

Tho' I saw things were bad when I wrote from Salem, I found them much worse than I expected when I arrived here. Several of the New Counsellors who dwell at a distance had fled from their houses, and been obliged to seek protection amongst the Troops in Boston. In that number Messrs Ruggles, Edson, [24] Leonard, and Murray, and Messrs Loring and Pepperell are lately come into town. The object of the people was to force them to give up their Seats in Council, which has taken effect with Mr Paine, who was seized and roughly treated. There are bad reports of Mr Watson tho' I have no news from him; but Mr Willard was grievously maltreated first in Connecticut where he went on business, and every Township he passed through in his way home in this Province had previous notice of his approach, and ready to insult him. Arms were put to his breast with threats of instant death, unless he signed a paper, the contents of which he did not know, nor regard. He went home after making me that report, but the news is that a large body was marching to his house in Lancaster, to force him to some other concessions.

Upon the first rumour of disturbance Mr Andrew Oliver resigned his seat in Council, as have also since, Messrs Isaac Winslow, Thomas Hutchinson, Lee of Cambridge, Danforth, and this moment Mr Watson. . .

I ordered a Council to assemble, but upon their representation that they should be watched, stopped and insulted on the road to Salem, and desiring to be assembled here, I hope His Majesty will approve of my consenting to their request.

The Council was of Opinion that it was very improper to weaken the Troops here by any detachments whatever, as they could not be of any use to the Courts, as no Jurors would appear and by that means defeat their proceedings, and that disturbance being so general and not confined to any particular spots, there was no knowing where to send them to be of use, and would terminate only in dividing them in [25] small detachments, and tempt numbers to fall upon them; which was reported to be the scheme of the Directors of these operations.

It was considered that the whole is now at stake, Connecticut and, they add, Rhode Island, as furious as they are in this Province, and that the first & only step now to take was, to secure the friends of Government in Boston, and to reinforce the Troops here with as many more as could possibly be collected, and to act as opportunities and exigencies shall offer. . .

Precepts are issued for the calling an Assembly on the beginning of next month, tho' uncertain whether the People will choose Representatives; but we may be assured, if chosen, that they will not Act with the New Council; and it's supposed the project has been to annihilate said Council, before Meeting, to throw the refusal upon the Governour to act with the Old Council elected the last Sessions. So that we shall shortly be without either Law or Legislative Power. . .

I transmit Your Lordship a Minute of Council and Copies of attested Papers and letters.

I have the honor to be with the greatest regard respect and esteem, My Lord,

Your Lordships most obedient
and most humble Servant

Thos Gage

P.S. Mr Simpson, another Counsellor, has just resigned. [26]

At a Council held at the Council Chamber in Boston, Wednesday August 31st 1774

Present

His Excellency Governor Gage
His Honor, Lieut. Governor Oliver

Mr Chief Justice Oliver	Colo Murray
Mr Treasurer Gray	Mr Boutineau
Mr Secretary Flucker	Mr Lechmere
Brigadier Ruggles	Commode Loring
Judge Hutchinson	Colo Erving
Judge Brown	Colo Leonard
Colo Edson	Mr Pepperell

His Excellency represented to the Board the very great tumults and disorders prevailing in many parts of the Province, tending to the intire subversion of Government, and particularly the attacks made upon divers Members of this Board (residing in the Country) which had arisen to such a height, as that several of them had thought it necessary for the safety of their persons, to repair to and continue in the town of Boston, and referred them to the Gentlemen's own account of this matter, which they related and reduced to writing.

His Excellency then desired the Advice of Council what they thought expedient and proper for him to do in this exigency of affairs, and whether they would advise to the sending of any troops into the County of Worcester, or any other County in the Province, for the protection of the Judges and other Officers of the Courts of Justice. Whereupon several Gentlemen of the Council expressed their Opinions, that inasmuch as the opposition to the execution of any part of the late Acts of

Parliament relating to this Province, was [27] so general, they apprehended it would not be for His Majesty's service to send any Troops into the interior parts of the Province, but that the main body continue in the Town of Boston, which might be strengthened by the addition of other Troops, to be improved as circumstances may occur, and be a place of safe retreat for all those who may find it necessary to remove thither.

To which the Council Unanimously Advised.

The foregoing is a true Copy from the Minutes of Council.

N° 1. Attest. THO^S^ FLUCKER Sec^y^

DANIEL OLIVER TO COL° RUGGLES

Hardwicke 19th *Aug:* 1774

DEAR SIR

It is with the greatest anxiety of mind for your safety that I now set down to inform you, that the spirits of the People in this and the neighbouring towns, especially New Braintree and Greenwich, are worked up to such a pitch of resentment and rage, *v^t^* you, that you must not attribute it to pusilanimity in me, when I advise you, if you value the preservation of your life, not to return home at present; I mean at least, if you have accepted of any appointment under the Crown or the Government, in consequence of the late Acts of Parliament: for the People are determined not to submit to them, and to run all hazards to avoid it. There are those here who I am satisfied thirst for your blood, and they have influence enough over others to put them upon spilling it. High threats continue that you shall [28] never pass the great Bridge alive, and all unite in the opinion that you will not be able to do it. I really think it will be the highest act of rashness in you to attempt it, at present.

I am, Dear Sir, Your affectionate friend
and humble Servant
DANIEL OLIVER

COL° RUGGLES

A true Copy from the Original on the Council Files.

N° 2. Attest. THO. FLUCKER

Mr PAINE TO THE GOVERNOR

Worcester, August 27th 1774

MAY IT PLEASE YOUR EXCELLENCY.

In my letter to Your Excellency of yesterday, I had not opportunity to give you the particulars of the transactions of that day, which happen'd in this town; so far as I can recollect I now send them. On the 25th persons were employed to ride round to the neighbouring towns, to assemble the people early on the 26th. I had some private notice of it, but upon the whole I thought it not best to go out of the

[1] Here is written in the margin: "sic q versus."

way, and determined to stay and see how far they intended to carry matters. The People began to assemble so early as Seven oClock in the morning, and by Nine, by the best computation, more than *Two Thousand men* were paraded on our Common. They were led into town by particular persons chosen for that purpose, many were *Officers* of the Militia, and marched in at the head of their companies. Being so assembled they chose a large Committee from the whole body, which Committee chose a Sub Committee to wait upon me, namely Joshua Bigelow, Edwd Rawson, Thomas [**29**] Denny, John Goulding and Joseph Gilbert, (the three first were of the last House of Representatives) who came to my house, leaving the main body upon the Common. I received them first at my Chamber Window, but upon assurance from them they had no design to treat me ill, I admitted them into my house. They then informed me of their business, that they were a Committee chosen by a large body of People assembled on the Common to wait upon me to resign my Seat at the Council Board. I endeavoured to convince them of the ill consequences that would ensue upon the measures they were taking, that instead of having their grievances redressed which they complained of, they were pursuing steps that would tend to the ruin of the Province: but all to no purpose, they insisting that the measures were peaceable, and that nothing would satisfy the Assembly unless I resigned, & that they would not answer for the consequences if I did not. Thus surrounded on every side, without any protection, I found myself under a necessity of complying, and prepared and signed a resignation, which the Committee refused to accept, and after making alteration according to their own minds they accepted of the following form, vizt

To Messrs Joshua Bigelow, Thomas Denny, Joseph Gilbert,
Edward Rawson and John Goulding

GENTLEMEN,

As you have waited upon me as a Committee chosen by a large body of People now assembled on the Common in Worcester, desiring that I now resign my Seat at the Council Board; my Appointment was without my sollicitation, and am very sorry I accepted, and thereby given any uneasiness to the People of the County, from whom I have received many favors, and take this opportunity to thank them: and I do hereby assure you that I will not take a Seat at the Board [**30**] unless it is agreable to the Charter of this Province.

The Committee then insisted that I should go with them to the main Body, and there read said Resignation, which I at first refused to do, but there came several messages from the Body, telling me that the People would not be satisfied unless I appeared before them, at the same time giving me assurances that I should meet with no insult. I then was escorted by the grand Committee to the main Body, who were drawn up in the form of a hollow square, and there was obliged to read said Resignation. I met with no insult excepting they obliged me to walk with my Hat off when I passed through them to come off. They soon after dispersed, and the Town by noon was all still, part of them went home, and a large detachment went to Rutland to wait upon Colonel Murray, but I hear he had taken himself away in the night.

Thus Sir you see an open opposition has taken place to the Acts of the British

Parliament. I dread the consequence of enforcing them by a Military Power; people's spirits are so raised they seem determined to risque their lives and every thing dear to them in the opposition, and prevent any person from executing any commission he may receive under the present administration. They give out that Brigadier Ruggles shall not sit as a Judge in our County Court, and that the Court shall not be held here.

I ask Your Excellency's pardon for troubling you with this long epistle, but I hope Your Excellency will excuse me, as I thought it my duty to let you know the particulars of the affair and of the present temper & disposition of the People in this part of the Province.

I wish Your Excellency all that wisdom **[31]** necessary to direct you at this critical time.

I am, Your Excellencys
most obedient & humble Servant
TIM° PAINE

A true Copy from the Original on file in the Secretary's Office.

N° 3. *Attest:*

COLONEL MURRAY TO HIS FATHER

Rutland August 28th 1774

HON^d SIR

The reports that prevailed on Fryday last, respecting your being waited on by the People, were yesterday confirmed. In the morning early I had word brought me from different quarters that the People had been gathering all night and marching to Worcester to treat with Mr Paine, and when they had done with him, they would proceed to Rutland to bring you to terms, and that to prevent your going away, Centry's had been fixed on the several roads leading from Rutland and round the house, from 9 or 10 o'Clock last evening; that the time of your setting off in the evening was but in season to prevent falling into their hands. About 12 o'Clock at noon they began to appear about the house; the first parties that came up were the Templetown, Hubbardston, and Princetown people, commanded by Captain Wilder of Templetown and his subalterns, and Captain Holden of Princetown. From this command Centrys were planted about the house and in the adjacent fields, the night Centrys as the day light came on, having disappeared. Soon after this they were coming in from all the adjoining towns, untill three in the afternoon, at which time **[32]** they had a body of 1500 men, most of them armed with sticks, in general heavy enough to have levelled a man at a stroke. The Princetown People, I have been since told, marched from home with Fire Arms, but lodged them a little distance from town, to be repaired to if occasion required it. I was by this time informed that some of your friends that knew of your going off, had assured them you were not at home, in hopes they would disperse, as it was given out by them that they had no design to destroy your property or injure any one of your family; but assurances of that sort had no effect; the disappointment of their not meeting with you at home, so exasperated them, that it was

feared by your few friends it would be difficult to prevent their destroying the buildings. But they at last determined if they could be suffered to make search for you in the house & out buildings to satisfie themselves that you were not at home, they would disperse: to which I at first would not consent, but told them that rather than suffer such a rabble to enter the house, I would defend it with the little force I had (which was only our own family, which you are sensible could have made but a poor defence) to the last extremity. However finding them determined, I finally consented a small number of their leading men might enter, upon a promise from them that no insult should be offered. Upon which a Committee of Seven were chosen, and the house searched; they then joined their Body and wrote the inclosed letter to you, which I am told was unanimously approved of. Soon after which (Sun about half an hour high) every one dispersed without doing the least damage to any part of the estate. But I have been told, and have not the least doubt but it will be put in execution, that if you do not make a Public Recantation (as they express it) of your Seat at the Council Board [33] by the 10th of September next, they will make you another visit and destroy all your buildings, &c; and should you be at home, the greatest indignities would be offered to you; and I have too much reason to fear you might expect nothing short of death. Upon the whole, Sir, the temper of the People is worked up to such a pitch, that every person whatever (not to speak of those in office only) that will not join them, are considered as enemies to their country, and must expect sooner or later to feel their severest resentments, and perhaps at last be obliged to take up arms in defence of their cause, or suffer the loss of their lives. Tell them the consequences of their proceedings will be Rebellion, Confiscation and Death, and it only serves as oil to increase the flame; they can draw no consequence to be equally dreadful to a Free People (as they say) like that of being made Slaves, and that this is not the language of the common People only you may be assured, as those that have heretofore in life sustained the fairest characters in every respect, are the warmest in this matter, and it is likewise general almost without exception, so that among the many friends you have heretofore had, I can scarcely mention any to you now; and the very few that remain so, dare not say it, looking upon themselves in the greatest danger. The few troops the General has, they consider as nothing; therefore I hope none will be sent, as it would throw us all into the greatest confusion. I have related facts as they really are, and must beg of you not to think of returning home at present, unless you think you can consistently resign your Seat at the Council Board; as I cannot doubt of their failing to put in execution what they have threatened. Should any thing further transpire from them, I shall not fail to give you [34] the earliest intelligence. And am with all respect

Your dutiful Son

Daniel Murray

A true Copy from the Original in the Secretarys Office.

N° 4. Attest: Thos Flucker Secy

Mr Thos Hutchinson Junr to the Governor

Milton August 30th 1774

May it please Your Excellency.

Altho' I am fully sensible of the honor conferred on me in my appointment as a Member of His Majesty's Council, and should think myself happy to be able, in the least, to contribute to the restoring of peace and good order in the Province; yet as I perceive the same spirit which has obliged a number of the Gentlemen of the Towns in the country to resign their office as Counsellors, or to quit their places of abode, to be enkindling in the breasts of the people of this and the neighbouring Towns against me also, and as it would be exceedingly inconvenient for me to change the place of my residence, or submit to any kind of restraint of my person, being the only one of Governor Hutchinson's family now in the country, and having the care of his affairs here, as well as those of the late Lieut. Governor [Andrew] Oliver, both of which I apprehend will suffer greatly by my being under any personal restraint.

I am sensible these reasons are of a private nature, but as they relate to the concerns of others more than my own, I hope Your Excellency will think them sufficient to induce you to accept the Resignation of my trust as one of His Majesty's [35] Council for this Province.

I am, with the greatest respect
Your Excellency's most obedient Servant
Thos Hutchinson Junr

A true Copy from the Original, on file in the Secretary's Office.
Attest. Thos Flucker Secy

No 5.

Mr Loring's Narrative 31 August 1774

At 12 o'Clock in the night of the 29th Instant I was awaked by a very hard knocking at my door; immediately I jump'd out of bed and threw up the window, when I saw five men disguised, their faces black'd, hatts flap'd, and with cutlasses in their hands: I ask'd them who they were, they answered they came from a Mob. I then asked them what they wanted; they told me they came to know if I would resign my Seat at the Board. I answer'd I would not, and went into some discourse with them, asking what right they had to make such a demand on me or any other man. They told me they did not come to talk, they came to act, & that they wanted my answer: I replied that they had got it already. They then told me they would give me till tomorrow night to consider of it, and then the speaker gave orders to a large party who were in the road, to discharge their pieces, which they accordingly did, and which I took to be pistols. They then told me my house should be safe till tomorrow night, and went off in number about sixty. The next night being the 30th I thought it most prudent to leave my house, and my son went [36] out to it to receive the Mob. He informs me as follows:—that in the evening about ½ past 8 o'Clock his mother came home much affrighted, and told him at or near Liberty Tree in Roxbury, she saw about fifty men assembled, who immediately on

knowing the carriage began to huzza scream & whistle, and called out to the Coachman to stop, but he continued on, and they followed the carriage in this manner for near a mile, and were then close at hand. About 9 o'Clock he heard their noise, and in a few minutes they were up to the house, and immediately knocked at the door; he went to it and found five men disguised, their faces black'd and cutlasses in their hands: they order'd the candle to be put out, and then asked for the Commodore, and said they came for his answer. He told them he was gone to Boston, and then endeavoured to reason with them against their demand, but to no purpose; they said this was the second time they had come, and to beware of the third, that if he would publish in the Thursdays News Paper a Recantation, it would be well, if not, he must abide by the consequences, which would be very severe, that his house should be levelled to the ground, and many other of the like threats; and then these Five who seemed to have the direction, I can't say command, of the Mob who were at the gate, retired to them, and during all this time they kept laying on the board fence with clubs, and crying out Dont fire, for God's sake dont fire, keep back, keep back: but the People did not seem to mind them, and continued their hollowing and knocking on the fence with their clubs: all which was designed to intimidate. They soon went off, and, as he was informed, to the house of Mr Pepperell, who not being at home, they returned again within the space of [37] half an hour, and in the same tumultous manner halted in the road opposite the house, and all at once were very silent, occasioned, as he was informed, by some friends speaking to them; a few minutes after they set up their hollowing &^{c} again, and went off. And as it was a very dark night he could not judge of their numbers, but was told they were about two hundred.

J. Loring

Boston 31st *August* 1774

A true copy from the Original on file in the Secretarys Office.

N° 6. Attest: Thos Flucker Sec^{y}

Colonel Leonard to Governor Gage

May it please Your Excellency.

Agreable to your request I have committed to writing the particulars of the late riot in the County of Bristol. I returned to my house at Taunton on the Saturday after my having taken the oaths &^{c} requisite for my taking a Seat at the Council Board. On Sunday noon I received intelligence that the People were much exasperated at me, and the Town of Taunton, with the neighbouring towns, were to assemble the next day *to deal with me* (that was the expression) for accepting a Seat at the Board, that it was expected they would begin with remonstrance and entreaty, and if that proved sufficient to obtain an engagement on my part to resign my Seat, all would be well, if not, that a number had determined to proceed to violence. Such was the intelligence I received and could depend on. Many things rendered it impracticable for me to make any resistance in my own house, one of which I beg leave to mention, the [38] situation of my wife, who was preg-

nant. I accordingly came as far as Stoughton that day, and the next to Boston, supposing that the People would disperse without giving my family any trouble, when it should be known that I was absent. But I was mistaken: on the next day which was the 22d Instant, about five hundred persons assembled, many of them Freeholders and some of them Officers in the Militia, and formed themselves into a Battalion before my house; they had then no Fire-arms, but generally had clubs. Some of the principal persons came to my house with a message that the People were much incensed at my accepting a Seat at the Board, and begged I would resign it. Upon being informed that I was not at home, they returned to the main Body, who dispersed before night, after having been treated with rum by their Principals.

My Family supposing all would remain quiet, went to bed at their usual hour; at 11 o'Clock in the evening a Party fired upon the house with small arms and run off; how many they consisted of is uncertain, I suppose not many; four bullets and some Swan-shot entered the house at the windows, part in a lower room and part in the chamber above, where one Capt. Job Williams lodged. The balls that were fired into the lower room were in a direction to his bed, but were obstructed by the Chamber floor. No other attack was made, tho' several persons were afterwards discovered lurking behind some uninhabited buildings and in other places near my house.

Capt. Williams at whom the firing seems to have directed, was the person that furnished me with the intelligence that the People were to assemble, and who pulled down and tore in pieces a written notification that was fixed on the Meeting House for the People to assemble; [39] wherefore I conclude it probable that the attack upon the house was principally designed for him. However that may be, my family were exposed by it, and I have received repeated advices from my friends at Taunton, since I arrived at Boston, that my life will be in danger if I return.

I am with great respect, Your Excellencys most obedient humble servant

DAN: LEONARD

Boston Aug. 31st 1774

A true Copy from the Original on file in the Secretarys Office.

N° 7. Attest. THOS FLUCKER Secy

Mr PEPPERELL to GOVERNOR GAGE

Boston August 31st 1774

SIR

I think it my duty to inform Your Excellency, that in consequence of my neighbor Captain Joshua Loring's informing me yesterday that he was attacked by a Mob on the evening of the 29th Instant, and threatened with very ill consequences if he did not by the next night resign his Seat at the Board, and Mr Loring's mentioning to me his determination not to stay in the country any longer at present, I thought myself obliged to come to Town last evening. Very early this

morning my servant brought me intelligence from the country, that a large number of men, in disguise, came to my house last evening and inquired for me, and being informed that I was in town, they ordered my servant to come to me this morning and tell me that I must resign my Seat at the Council Board or take the consequence of a [**40**] refusal. It gives me the greatest pain Sir, to see the Province in so disorderly and confused a state. I know of nothing that will tend more to convince the People of their error, and of the necessity of a due subordination to Government, than Your Excellency's wise and cautious Administration.

I have the honor to be with the greatest respect,

Your Excellency's most obedient
& most faithful h[um]ble Servant
W. Pepperell

A true Copy from the Original, on file in the Secretary's Office.
N° 8. Attest: Thos Flucker Secy

Mr Lee to Governor Gage

May it please Your Excellency.

When I qualified as a Counsellour, I did it under an apprehension that I might be serviceable to my King and Country, and that the fixing a Civil Council, agreable to Act of Parliament, would have contributed in some measure to quiet the disturbed state of the Province and been preventive of any extraordinary exertions of power; but on the contrary I find the establishing such a Council has so universally inflamed the minds of the People of the Province, and excited such tumults and disorders in various parts of it, as threatens a catastrophe greatly to be dreaded, and exposes the Members of the Council to such continual injurys and insults as I am unable to sustain. I am therefore obliged to submitt to the rage of the times, and must beg Your Excellency to accept a Resignation [**41**] of my Seat at the Board, which I am under a necessity of forfeiting by Non-attendance.

With perfect esteem and respect, I am,

Your Excellencys most obedt
humble servant
Jos: Lee

Cambridge 1st *Sept.* 1774

A true Copy from the Original, on file in the Secretary's Office.
N° 9. Attest: Thos Flucker Secy

Governor Gage to Sec[retary] Dartmouth

Separate.

*Boston Sept*r 2d 1774

My Lord.

I have given Your Lordship in my letter of this date, the names of several of the New Council who desire to resign their Seats; and I have now the honour to transmit you the names of Three Gentlemen who desire to be of the Council, vizt—

Mr John Vassall of Cambridge, Mr Eliakim Hutchinson, and Mr Nathaniel Hatch.

I have the honour to be with the greatest regard respect and esteem, My Lord

Your Lordships most obedient
and most humble Servant
THO^s GAGE [42]

GOVERNOR GAGE TO SECRETARY DARTMOUTH. EXTRACTS

N° 12.

Boston September 3^d 1774

MY LORD

In my letter of yesterday I just made mention of a letter in the moment received from Lieutenant Governor Oliver. That Gentleman came to me yesterday about noon, and acquainted me that a number of people had passed his house in Cambridge going into Town, which is about eight miles from this; but that he had talked to them and they listened to his advice to be quiet and return peaceably home, which they promised to do without making any disturbance. It was supposed they assembled in order to force Messrs Danforth and Lee to resign their Seats in Council, which they had done the day before. . .

It was therefore concluded, that all objects being removed, for that they were satisfied of his being in the Council as he was at the same time Lieutenant Governor, the People would immediately go away, and he therefore begged I would not think of ordering any troops there, as there would be no occasion for it, and could only be productive of mischief. . .

I expected to hear from the Sheriff, Mr Phipps, if any thing extraordinary happened at Cambridge, but received no farther advice till near six in the evening, when the letter which I have mentioned, and inclose,[1] was brought me from the Lieut. Governor, about which time the Insurgents had finished their business and went off, after forcing him to resign his Seat in Council. I have found since, that when [43] Mr Oliver came first to me, it was in consequence of the People's desire, and of their assurances that no disturbance or violence would happen, and he was so confident in their promises and of his own influence over them, as to go back to Cambridge, and in his way met the Sheriff, whom he perswaded to go with him. They thus both fell into the snare; for they obliged the Sheriff to sign a paper as well as Mr Oliver.

The Lieutenant Governor came to me this morning with the news, and in the greatest distress. He told me many particulars, which I desired him to commit to writing and tell Your Lordship his own story.

I have the honor to be with the greatest regard respect and esteem, My Lord,

Your Lordship's most obedient
and most humble Servant
THO^s GAGE

[1] "A short note dated 2^d September, begging the Governor, on no consideration, to send out any Troops."

LIEUT[ENANT] GOVERNOR OLIVER TO SECRETARY DARTMOUTH

Cambridge September the 3[d] 1774

MY LORD.

Having on the arrival of the Scarborough received thro' the hands of His Excellency Gen[l] Gage a Commission from His Majesty appointing me Lieut. Governor of this Province, I am bound to acquaint Your Lordship of such circumstances as relate to me in that station.

His Excellency immediately upon the receipt of the Commission inclosed it to me, with an order for my [44] attendance in Council, in obedience to which I attended and took the usual and requisite Oaths.

Your Lordship will have heard that the commotions of the People upon the alterations of Government, had arisen to such a pitch in this Province, that several gentlemen of the Council declined taking their Seats at the Board, and several others, after they had taken the oaths, constrained by violence to sign papers renouncing their appointment & resigning their Seats.

But during all these commotions I was considered as entirely free from any danger of these attacks. And in this confidence remained at my house in Cambridge, exerting myself in cultivating loyalty to the King, and submission to Parliament, as the only sure means of having their grievances redressed. I wish my success had been equal to my endeavours. The disposition of the People to oppose the late regulations, universally thro' the Province, rising higher & higher, appeared yesterday in a more eminent degree than it had before done, in the County of Middlesex. A large body of People to the amount of 1500 came down from the country, without arms, consisting of Landholders of this County, marching thro' this Town. Many of the inhabitants of this and the neighbouring towns came to me, desiring I would use my influence to make them return peaceably home.

They were to pass by my house; as soon as they arrived I went out to them, enquiring the cause of such an appearance. They respectfully answered they came peaceably to enquire why they had been deprived of their Rights and Priviledges. I addressed them upon the impropriety of such embodied multitudes, spoke to the different subjects on which they founded their complaints, and imagined I had quieted them, from the respectful manner in which they expressed their thanks, and promising they would conduct [45] themselves in the most orderly manner. They proceeded on to the Common about a mile from my house, where a report soon prevailed that the troops were on their march to disperse them.

They interceeded with me that I would wait on the General to prevent their coming, and promised that no disorders should arise. I waited on His Excellency and related the particulars, and requested the troops might not be sent: he told me no troops were ordered. I returned to them as I had promised, and received their thanks by their Committee. Upon my being about to leave them, they desired to speak to me. I told them I would hear them. They began with expressing their regard and respect for me, and ended with observing how happy I should make them, if I would quit the Board. I told them I considered it as very ungrateful treatment to mention the thing to me, I urged many reasons and particularly

as I stood in a general relation to the whole Province, could hear nothing which came from a particular County. They considered my reasons, and Voted them satisfactory. I submitted to these things in order to quiet their uneasy minds, upon principles of humanity as well as policy.

This left me entirely clear that I should have no further trouble with them upon this subject; and as their deportment was peaceable, I flattered myself they would soon disperse.

But in the afternoon, observing such companies pouring in from all quarters, and those of a lower class, I began to apprehend they would become unmanageable, and fearing some troubles would arise, wherein I should be called upon, I chose to get out of the way.

I was just going into my carriage to proceed to Boston, when a vast crowd advanced, and in a [46] short time my house was surrounded by 4000 People, and one 4th part in arms. Not apprehending any abuse designed to me, I waited in my hall, when 5 persons entered, with a decent appearance, who informed me they were a Committee from the body of the People to demand my Resignation as a Councillor. I reproached them with ingratitude & false dealings, and refused to hear them. They answered that the People were dissatisfied with the Votes of their Committee in the morning, and now demanded my Resignation, as drawn up in a Paper which they held in their hands. I absolutely refused to sign any paper. They desired me to consider the consequences of refusing the demands of an inraged People. I told them they might put me to death, but I would never submit. The Populace growing impatient began to press up to my windows, calling for vengeance against the Foes of their Liberty. The five persons appeared anxious for me, and, impressed with some humanity, endeavoured to appease the people: but in vain. I could hear them from a distance, swearing they would have my blood. At this time the distresses of my Wife and Children, which I heard in the next room, called up feelings, My Lord, which I confess I could not suppress. I found myself giving way, and at that instant, Nature, ingenious in forming new reasons, suggested to my mind the calamities which would ensue if I did not comply. I cast about to find some means of preserving my reputation. I proposed that the People should take me by force; but they urged the danger of such an expedient. I told them I would take the risque; but they would not consent. Reduced to this extremity I took up the paper, and casting my eyes over it with a hurry of mind and conflict of passion which rendered me unable to remark the contents I wrote underneath the following words:—

My house being [47] surrounded with four thousand People, in compliance with their commands I sign my name.

THO. OLIVER

The five Persons taking it, carried it out to the People, and found great difficulty in getting it accepted. I had several messages sent me, informing me it would not do. But I declared I would do nothing else, if they put me to death. The more respectable farmers used all their endeavours to reconcile the rest, and finally pre-

vailed, when they all marched off in their several companies, wishing me well, & cautioning not to break my Promise.

Thus my Lord I have given you a plain narrative of the proceedings of this day. If I stand acquitted to His Majesty, Your Lordship and the World, I shall esteem myself happy. I could not have done more unless I had determined to have died, which would have brought on a train of calamities to this country which I shudder to think of.

I should esteem it as the highest favour, if Your Lordship would signify by one line your opinion of my conduct in this affair, and in what manner I ought to act with regard to taking my Seat at the Board; as I shall remain under a most embarrassing suspense until I hear the event.

I have the honor to be
Your Lordships most obedient and
most faithful humble Servant
THOMAS OLIVER

I hope Your Lordship will excuse the many corrections in my letter,[1] as my mind is ill at ease. I must confess I have scruples of taking my Seat at the Board, as I have promised, altho' by force. Yet as I did not prefer Death to making the Promise, I have scruples which His Majestys commands will [48] dissipate. There is published a very erroneous account in the Newspapers, to answer their purposes; but Your Lordship may assure yourself of the truth of my account in every particular.

SECRETARY DARTMOUTH TO GOV^{R} GAGE. EXTRACTS

N° 9.

Whitehall Septr 8th 1774

SIR

Your letters of the 20th and 27th July, which were received by a New York Mail that arrived yesterday, do not contain any thing that requires particular instruction. . .

Your not having received on the 27th July the Bill for regulating the Government of the Massachusetts Bay and His Majestys Sign Manual for the appointment of the New Council, is a very unlucky circumstance; and I am the more surprized, as I find that my dispatch containing those documents was sent from my office on the 3^{d} of June, to be put on board the Scarborough Man of War that lay at Plymouth to receive it. . .

I am &^{c}
DARTMOUTH [49]

[1] Oliver's letter is, according to Mr. Lemon, "in several parts, corrected & interlined."

LIEUTENANT GOV[R] OLIVER TO SEC[RETARY] DARTMOUTH

Boston September the 10th 1774

MY LORD

I did myself the honor of writing Your Lordship the 3[d] of this month, giving an account of the transactions at Cambridge the day before.

I have the pleasure to find my behaviour approved in this part of the world, although I submitted at the last. Some gentlemen of the army may regret that they had not an opportunity of sharing in the business of that day, and from thence may not approve of my humanity and tenderness to an ungrateful people.

But Your Lordship will perceive by my account published in the Massachusetts Gazette, the reasons I acted upon; namely, that at the time when I applied to His Excellency General Gage, they appeared to have no design of any kind of harm, but only to enquire into some circumstances relative to their Powder being removed, which as soon as they had informed themselves of, they would peaceably return. I imagined I had satisfied them with regard to their complaints, and that as soon as they had talked the matter over among themselves, they would all disperse. I knew His Excellency had been advised not to send the troops out of town; and I knew that as the People were then without arms, no glory would be derived to the Military to destroy a number of poor farmers, but on the contrary, that it would have been considered as an act of inhumanity, & rather serve to irritate than suppress their spirits. Under these considerations I readily undertook it, and if I erred, it was an error in judgment. But I flatter myself I shall stand acquitted to Your Lordship upon these principles.

But, my Lord, the principal question upon [**50**] which I have presumed to trouble Your Lordship at this time, is relating to my conduct consequent upon this matter. I have applied to the General; he has referred me to the Opinion of my Friends, and my own Feelings.

Various are the opinions of my Friends, and with regard to my own Feelings, I have scruples which embarrass me.

I am sensible by the common rules laid down on this subject, I may be acquitted in breaking this extorted Promise. But in every man's mind there is a certain standard by which he must try his actions. In some, that rule or standard is more vague than in others. Common rules of rectitude are sufficient to satisfy some; while others must, for self approbation, consider the subject more nicely.

In my case now before Your Lordship, I consider myself at the time, even of compulsion, to have had an Election. A hard alternative 'tis true; but still I had it in my power, either to die, or make the Promise: I chose to live.

A mind under the habitual influence of candour recurs not to those reservations, by which others excuse themselves.

At the time when I gave the Preference to Life, I had no reservation in my mind, that Compulsion would liberate me.

But I now conceive that the Commands of His Majesty, as the fountain of Honor, will secure my reputation from any impeachment.

From the same principles I deduce, that should such a conjunction of circum-

stances take place, as that just so many of the Council should be obliged to resign, as to invalidate the Board for the want of my attendance; from the importance of His Majesty's service I should conceive a Command to be implied, [51] and consider it as my Duty to attend.

But I shall esteem it as a particular instance of Your Lordship's goodness, that you would signify your directions in this matter to me; which would take off every difficulty from my mind.

I do not presume to give Your Lordship any account of things here, as it might be considered as putting myself forward, and breaking in upon the line of the Commander in Chief.

I hope Your Lordship will pardon me in the trouble I have given you in this affair, and permit me to subscribe myself

Your Lordships most faithful
and most obedient Servant
THOMAS OLIVER

GOVERNOR GAGE TO SECY DARTMOUTH. EXTRACTS

N° 13.

Boston Septr 20th 1774

MY LORD

Since my letters by the Scarborough ship of War, I have received some letters and papers, which I transmit Your Lordship, relative to the proceedings in the distant Countys. . .

Mr Willard has been obliged to resign his Seat in Council since my last; the rest remain firm notwithstanding daily threats of Plunder, Devastation and ruin, and even of Assassination. . .

I have the honor to be &c
THO^S GAGE [52]

To JOSIAH EDSON ESQ^r

SIR

In consequence of the Town assembling the 29th of August, and choosing us the Subscribers to demand your Resignation (as Counsellor) your absenting yourself, and our making report thereof to the Town, they Unanimously Voted that unless you signed the inclosed Recantation by the 26th Inst and publish the same in the News Paper, they will consider you as obstinate, refractory, and unfitt to live in the town for the future: And directed us to leave the same in writing, to be forwarded to you.

Samuel Dunbar
Robert Latham
Richd Peckin
Eleaser Cary
Nathan Mitchell } *Committee*
Philip Bryant
David Leonard
David Kingman

Bridgwater September 14th 1774

GOVERNOR GAGE TO SECRETARY DARTMOUTH. EXTRACT

N° 14.

Boston Septr 25th 1774

MY LORD. . .

Many Members are chosen for the General Court that was appointed to meet at Salem on the 5th of next month, and I have information that the Old Council has been summoned to attend there. The New Council appointed by the King who have taken [53] refuge in this Town, dare not attend at Salem, unless escorted there and back again by a large force; which as affairs are circumstanced will answer no end. The Assembly will not act with them, and I cannot act with the Old Council, so that nothing but confusion can arise from a meeting of the General Court, on which account I mean to fall on measures to postpone the Session. . .

I have the honor to be &^c^

THO^S^ GAGE

SECRETARY DARTMOUTH TO GOV^r^ GAGE, EXTRACTS

N° 11.

Whitehall 17th *October* 1774

SIR

From the accounts which we had received through various channels of what passed in the Province of Massachusetts Bay, upon the arrival of the Scarborough with my dispatches to you of the 3^d^ of June, we had entertained hopes that the popular phrenzy had begun to subside, that the acceptance of Seats in the New Council, by so large a number of respectable persons, would disappoint the expectations of the faction, and that tho' they might seek to elude the Laws by artifice and chicane, yet that the execution of them was not likely to be opposed by violence, and that the People in general would at least have waited the result of the General Congress before they took any decided measures.

Your letters however, which I have received by the return of the Scarborough, represent the affairs of the Province to be indeed in a very dangerous & critical [54] situation, and it looks not only as if the People were determined at all events to refuse obedience to the Law, but that notwithstanding the assistance of so large a Military force, sent purposely to support the Authority of Civil Government, they have it still in their power to trample upon it with impunity, and to bid defiance to all controll.

This however is a state that cannot have long duration; the discontinuance of Courts of Justice must produce the greatest anarchy and confusion; and tho' I see that you have still a Quorum of the Council to act with you, yet I fear that whilst they can act but in the midst of a camp and under the protection of an army, that Authority will have little weight. . .

Appearances in general are at present certainly very unfavourable; some however there are that do not wear so gloomy an aspect; and I cannot but persuade myself that even in the New England Government, where prejudice and resent-

ment have taken such strong hold, there are many Friends to the Constitution who would stand forth under the protection of Government. Such men ought to be encouraged, and inclosed I send you the Royal Mandamus for the admission into the Council, of Messieurs Eliakim Hutchinson, Nathaniel Hatch, and John Vassall, the gentlemen whom you recommend, and also of Mr George Erving, who is stated by Mr Hutchinson to be a very proper person, and was I find much disappointed at not being in the first Nomination.

I am &^c

DARTMOUTH [55]

SECRETARY DARTMOUTH TO LIEUT[ENANT] GOVERNOR OLIVER

Whitehall 17th *October* 1774

SIR

Your letter to me of the 3^d of September has been laid before the King.

The manner in which you have been compelled, by violence, to subscribe to a resignation of your Seat in Council, is as disgraceful to Government, as I am persuaded it must have been painful and humiliating to you; but as from the circumstances attending that transaction (as stated by you) it is evident that your refusal to resign would have been attended with very fatal consequences, His Majesty is graciously pleased to acquiesce in the reasons you assign for your conduct.

It will be a very great satisfaction to me to hear that such an alteration has happened in the affairs of the Province, as to admit of your taking your Seat at the Council Board, without hazard of your life; but if the People should continue in the same state of frenzy and violence, such a step can be of no advantage to the King's service, and may (indeed most probably would) expose you to the resentment of a People who seem determined at all events to resist the Civil Authority, and even to sacrifice the lives of their fellow subjects to the most unjustifiable pretensions.

I am &^c

DARTMOUTH [56]

GOVERNOR GAGE TO SECRETARY DARTMOUTH. EXTRACT

N° 17.

Boston October 30th 1774, *and Nov.* 2

MY LORD. . .

Nov. 2. The King's Schooner the St Laurence which conveys this dispatch, being detained, I transmit Your Lordship the last resolves which this Provincial Congress has published, after which they adjourned to the 23^d Ins^t. And I learn that their secret determination is, to assemble the Old Council at their next meeting, in order to form as compleat a Government as they can. . .

I have the honor to be &^c

THO^s GAGE

LIEUTENANT GOVERNOR OLIVER TO SECRETARY DARTMOUTH

Boston December the 9th 1774

MY LORD

The honor done me in your much esteemed favor of the seventeenth of October, signifying "His Majestys gracious acquiescence in the reasons assigned for my conduct" calls for my particular acknowledgments to Your Lordship, as well as my utmost exertions in the cause of my Royal Master.

General Gage has no doubt acquainted Your Lordship that since the 2d of September, the Province has been in such a state of confusion, in which the People have so far put an end to all law and order, that the direction of Government has been rather in the line of a General than that of a Governor. And as the forms of a Council under these circumstances, and the prejudices of the People would only tend to [57] encrease their violences, and add to his difficulties and embarrassment; upon these reasons I presume he has avoided calling one. But by moderation & prudence as a Governor, and the strictest discipline as a General, has prevented every occasion which could give them a pretence for commencing hostilities, and in the mean time has enclosed and fortified the Town in such manner as to give us a full assurance of security.

How long the Province may continue in this state, or what particular circumstances may turn up, to render a Council expedient, I cannot presume to say; but whenever His Excellency thinks proper to call a Council, I shall surely attend my Duty. This I had determined on before I had the honor to receive Your Lordships letter, and mentioned it to Govr Hutchinson in former letter.

Indeed the more I examined the whole affair, the more clearly it appeared I could not be bound to the observance of a compulsory Promise, extorted by a Mob, who every day were verging to, and at length arrived at, a state of rebellion.

Soon after the attack made on me the 2d of September, I removed with my family to Boston; judging it unsafe to remain longer among a People, who in such a state of frenzy, were governed by no principles, but blindly led, or impelled by a set of wicked seditious Levellers, who in form of Committees of Correspondence, and under the name of Patriots, were propagating Treason and Rebellion thro' the Country. Various means were used to induce me to return; but not availing, they changed their conduct, and tried the effects of abuse in false reports and publications, equally unavailing.

Here, my Lord, I shall continue, ever ready to exert myself in a cause which from Principle I have [58] uniformly asserted, and which it now more immediately becomes my duty to support.

I have in a former letter to Your Lordship observed that I was restrained from giving any intelligence upon the general concerns of the Province, from a delicacy that I might not intrude myself into a course of communication that may be considered as more properly belonging to the Commander in Chief. But I shall be ever ready to obey Your Lordships commands upon that head.

I am, Your Lordships most faithful
and most obedient humble Servant
THOS OLIVER

GOVERNOR GAGE TO SECRETARY DARTMOUTH. EXTRACT

N° 20.

Boston December 15th 1774

MY LORD. . .

Nothing has been left untryed that could tend to hurt and terrify the Mandamus Counsellors to resign, who have withstood all threats against their persons and properties, but they are still obliged to take shelter with the Troops, and I have judged what Your Lordship remarks, that in such a state the taking any step by their Advice would add no weight to the authority of Government, but rather be an argument for disobedience; for that reason I have avoided the assembling of them in Council as much as possible. I am to acknowledge the receipt of the Royal Mandamus for the admission of the Gentlemen therein nominated, into the Council; [**59**] Messrs Erving, Vassal and Hatch have accepted the honour conferred upon them, but desire that it may be kept secret for a time, and that they may not be called upon till they are prepared. I have yet received no positive answer from Mr Hutchinson. All the former Counsellors stand firm and deserve the greatest encouragement. . .

I have the honor to be &c

THOS GAGE

GOVERNOR GAGE TO SECY DARTMOUTH

Separate.

Boston December 25th 1774

MY LORD.

I am to acknowledge Your Lordships circular letter of 2d of November, and inclose Your Lordship a List of the Council of the Massachusetts Bay, as it stands at present, and will not fail to transmit a like list at the Periods mentioned in Your Lordship's letter.

I have the honour to be with the greatest regard respect and esteem, My Lord

Your Lordships most obedient
and most humble Servant

THOS GAGE [**60**]

A LIST OF HIS MAJESTY'S COUNCIL

In his Province of the Massachusett's Bay

Thomas Oliver Esq. Lieut. Govr	John Murray
Chief Justice Oliver	Joshua Loring
Harrison Gray, Treasurer	John Irving Junr
Thomas Flucker, Secretary	Nat. Ray Thomas
Foster Hutchinson	Willm Pepperell
William Browne	Danl Leonard
Timothy Ruggles	Richd Lechmere
Josiah Edson	Jas. Boutineau

John Vassal
Nathaniel Hatch
George Irving
} Accepted but not sworn in, for reasons given in letter N° 20.

Eliakim Hutchinson Ill, and has given no positive answer.

GOVERNOR GAGE TO SECRETARY DARTMOUTH. EXTRACTS

N° 35.

Boston July 24th 1775

MY LORD. . .

I have the honour to transmit Your Lordship an Address to the King from the Council of this Province, who, notwithstanding every insult and oppression, have stood firm in their principles of Loyalty and affection to His Majestys Person and Government. I also inclose a List of the Council, to which I add the names of other Gentlemen who, as well as many of the Council are suffering for their attachment to the King and Constitution. . . **[61]**

I am to acquaint Your Lordship of the death of Mr Eliakim Hutchinson one of His Majesty's Council, and a Judge of the Inferior Court. . .

I have the honor to be &c

THOS GAGE

At a Council held in the Council Chamber in Boston Monday July 17th 1775

Present

His Excellency the Governor
His Honor the Lieut. Governor

Chief Justice Oliver	Col. Edson	Mr Thomas
Mr Gray	Col. Murray	Col. Leonard
Mr Flucker	Mr Boutineau	Mr Loring
Brigr Ruggles	Mr Lechmere	Sr Wm Pepperell
Judge Hutchinson	Col. Erving	Col. Hatch
Judge Brown	Col. Willard	Mr G. Erving

The Council signified to His Excellency their desire that he would give them an opportunity to testify their Loyalty to their Gracious Sovereign and attachment to His Government in Humble Address, which His Excellency was pleased to Consent to, and thereupon appointed His Honor the Lieut. Governor, Chief Justice Oliver, Treasurer Gray, Brigr Ruggles, and Judge Browne to prepare an Address and report it to the Board: and then directed that the Council be adjourned to Thursday next.

In Council July 20th

The Council being met according to Adjournment **[62]** and every Member of the Board being present:—

The Committee reported that they had prepared an Address to His Most Excellent Majesty; which was read and Unanimously Accepted, and

Ordered, that His Excellency the Governor be desired to transmit said Address to the Right Honorable the Earl of Dartmouth to be laid before His Majesty.

A true Copy from the Minnets of Councill

Attest. Thos Flucker Secretary

The Humble Address of the Council of the Province of Massachusett's Bay

To the King's most Excellent Majesty

Most Gracious Sovereign.

At a time when a most unnatural Rebellion is raging in this Province, We Your Majesty's Council of the Massachusett's Bay, animated with the warmest affection for your Sacred Person, the most entire confidence in the wisdom and benignity of your Government, and the strongest attachment to the British Constitution, beg leave in humble Address to approach the Throne.

While we lament the disorders and confusions of Your Majestie's Colonies in America, we are constrained to express our abhorrence and detestation of those flagitious machinations of a number of evil men, who uninfluenced by the lenity and clemency of your Government, and unawed by the dread of your displeasure, have seduced the unwary and undiscerning multitudes to adopt their Principles and promote their destructive purposes.

With that humble satisfaction which arises from conscious integrity, we beg permission to assure Your Majesty, that notwithstanding the Resolves of Congress and the Obloquy we have been loaded with, the dangers [**63**] we have encountered and the evils we have suffered; yet, supported by a sense of our duty, and the hopes of your most gracious approbation, we have steadily adhered to that cause, which from principle we are engaged in.

Regardless of those efforts to degrade us, we have ever been ready to discharge the trust reposed in us, chearfully acquiesing in the wisdom and goodness of Parliament, and acknowledging its Authority to bind us in all cases whatsoever.

It is with concern and indignation we see the honor of our King and the Authority of the Supreme Legislature injured and affronted; tho' with tenderness we contemplate that punitive Justice which the dignity of our Sovereign, the Authority of a British Parliament, and the security and welfare of an August Empire, require to be exercised upon a refractory People.

We consider our connection with & dependance upon Great Britain as the surest basis of lasting peace, and prosperity to this Province. We think it our indispensable duty to contribute our utmost exertions to perpetuate, as well as our highest felicity to enjoy its blessings: and most ardently wish it may be established, under the happy auspices of Your Majesty and your illustrious family, to the latest Posterity.

In the name and on behalf of the Council

Thomas Oliver, *President* [**64**]

List of Counsellors

For the Province of Massachusett's Bay. July 21st 1775

Thomas Oliver Esqr Lieutenant Governor

Peter Oliver Esq. Chief Justice	Abijah Willard Esq.
Harrison Gray Esq.	John Erving Junr Esqr
Thomas Flucker Esq.	Daniel Leonard Esq.
Timothy Ruggles Esq.	Nathaniel R. Thomas Esq.
Josiah Edson Esq.	Sir William Pepperrell Bart
John Murray Esq.	Joshua Loring Esq.
James Bouteneau Esq.	William Brown Esq.
Richard Lechmere Esq.	Foster Hutchinson Esq.

Nathaniel Hatch Esq.
George Erving Esq. } Sworn in since last return

List of Persons

Who are suffering for their attachment to Government

James Putnam Esq.
John Chandler Esq.
Richard Saltonstall Esq. Sheriff of Essex
William Tyng Esq. Sheriff of Cumberland
David Phipps Esq. Sheriff of Middlesex
Joshua Loring Junr Esq. Sheriff of Suffolk
Elisha Jones Esq. of Weston
Charles Russell Esq.
Peter Johonnet [65]
Thomas Amory
Thomas Brindley
Revd Mr Wiswall
Richard Clark
Benjamin Faneul
Thomas Hutchinson } Consignees
Henry Barns Esq. of Marlborough
John Worthington Esq.
Israel Williams Esq.
William Payne Esq. } Fled or Kept Prisoners
James Russel Esq. and others at Charlestown
Isaac Rand - - - - ditto
Thomas Gilbert Esq.
Jonathan Sewall Esq.
Daniel Bless, of Concord

N.B. The foregoing Persons, both Counsellors and others have suffered exceedingly in their property, for their attachment to Government, by a Resolve of the Provincial Congress, and a total stop to all kinds of business.

GOVERNOR GAGE TO SECRETARY DARTMOUTH. EXTRACT

Private.

Boston July 24th 1775

MY LORD. . .

I am sorry to acquaint Your Lordship that many of the Friends of Government and even several of the Council who have sought Protection in this Town, begin to feel distress, the money they brought with them being expended, and the Rebels preventing their receiving any profits from their [66] estates. Some of the most respectable of the Council have applyed to me for assistance; we have no publick money, nor could I dispose of it in that channel if we had. And I have been obliged to divide with them the little cash remaining of my own. We shall all soon be in the same situation, till cash is sent to us by our Agents; for by a Decree of the Congress no Officer's Bill is to be taken, and there is not a merchant, even in New York, who now dares to send us money for our draughts. . .

I have the honour to be &c

THOS GAGE

SECRETARY DARTMOUTH TO GOVERNOR GAGE. EXTRACT

Separate.

Whitehall 2d *August* 1775

SIR. . .

I have only to add, that if we are driven to the difficulty of relinquishing Boston, care must be taken that the Officers and Friends of Government be not left exposed to the rage and insults of Rebels who set no bounds to their barbarity. And when I mention this circumstance, I must not omit to inform you that His Majesty is graciously pleased, upon a representation made to him of the distress to which many of the Members of your present Council are exposed, to direct that you do, from time to time, give them such relief and make them such allowance as you shall judge necessary, and include the expence in your Contingent Accounts. . .

I am &c

DARTMOUTH [67]

GOVERNOR GAGE TO SECRETARY DARTMOUTH. EXTRACT

Boston 9th *October* 1775

MY LORD. . .

I must inform Your Lordship that a Theft has been committed on the Province, and that all the Seals have been taken out of the Council Chamber where they were kept. This was observed on the 4th Inst; on the 6th I sent a Message to the Lieutenant Governor and Council, to make every necessary enquiry they possibly could, into the matter, which they have done, and I am sorry to tell Your Lordship without any good effect; which you will see by their answer to my message, which I have now the honor to transmit to Your Lordship.

I have the honor to be, with the greatest regard respect and esteem, My Lord

Your Lordship's most obedient
and most humble Servant

THOS GAGE

In Council, October 9th 1775

Ordered, that His Honor the Lieutenant Governor, Chief Justice Oliver, Treasr Gray, Judge Brown and Mr Lechmere, be a Committee to wait on His Excellency the Governor with the following Answer to his Message of the 6th Instant.

Thos Flucker *Secy*

May it please Your Excellency.

Agreeable to Your Excellency's Message to the Board of the 6th Instant, We have gone into a [68] strict enquiry and examination under oath, of all those persons who have been returned to us, as having had access to the Council Chamber between the Ninth day of September and the Fourth of October Instant, in which we have not been able to discover any traces whereby we might come at the knowledge of the Publick Seals.

We have directed the Secretary to lay the several affidavits before Your Excellency.

Lieutenant Governor Oliver to Secretary Dartmouth. Extract

Boston November 28th 1775

My Lord

Agreeable to His Majestys Instructions left with me by His Excellency Governor Gage, I take the earliest opportunity of acquainting Your Lordship with those circumstances which in any way relate to the Civil Government of this Province.

Immediately upon the departure of the Governor,[1] I waited on Major General Howe and Admiral Graves, assuring them of my readiness to do every thing in my power to promote the good of His Majesty's service, and offering my assistance, and that of the Council, in any thing that might in the least degree contribute thereto.

General Howe soon after communicated to me a proclamation which he proposed to publish, for promoting an Association of the Inhabitants. I immediately called the Council together, & recommended it to them. They having referred the matter to me, I drew up the form of Association; such an one as I thought best calculated to answer the purpose, and [69] named to the General, the Honble Peter Oliver, Foster Hutchinson and William Brown, as proper persons to regulate it and receive the Subscriptions.

Within the time limited by the Proclamation, 480 persons subscribed their names, and excepting some few whose characters had been doubtful, they were generally men who in principle were supporters of Government. I have already forwarded to Your Lordship, by General Burgoyne, an Abstract of the Minutes of Council, with a List of the Members, agreeable to the Instructions, and that you might be more fully informed of the whole matter, I took the liberty to send with them the General's Proclamation with the Association referred to. . .

I am, My Lord, &c

Thomas Oliver

[1] Gage had left Boston on October 10.

At a Council held at the Council Chamber in Boston, on Wednesday the 25th day of October 1775

Present

His Honor Thomas Oliver Esq. Lieutenant Governor

Chief Justice Oliver	Colo Edson	Mr Thomas
Treasurer Gray	Colo Murray	Colo Leonard
Brigr Ruggles	Mr Lechmere	Mr Loring
Judge Hutchinson	Colo Erving	Colo Hatch
Judge Browne	Colo Willard	Mr Geo. Erving

His Excellency Thomas Gage Esq. Captain General and Governor in Chief of the Province having embarked for Great Britain, His Honor the Lieutenant Governor this day in Council took the Oaths by Act of Parliament appointed to be taken instead of the Oaths of Allegiance [70] and Supremacy, repeated and subscribed the Test or Declaration therein contained; together with the Oath of Abjuration, and an Oath that he would to the utmost of his power endeavour that all the Clauses matters and things contained in the several Acts of Parliament now in force, or that shall hereafter be made relating to the Colonies or Plantations, be punctually and bona fide observed according to the intent and meaning thereof; and that he would faithfully perform the duties of Lieutenant Governor & Commander in Chief[1] of the Province, according to his best skill and judgment.

The following Message from the Lieutenant Governor was then delivered to the Council, vizt—

A Message from His Honor the Lieutenant Governor to the Council 25 October 1775

GENTLEMEN OF THE COUNCIL.

His Excellency Major General Howe, Commander in Chief[2] &c &c has thought proper to communicate to me a Proclamation which he means to issue, & has desired I would communicate it to the Council. His intentions are to recommend to the well affected inhabitants of this Town, an Association for the preservation of internal Order and good Government, proposing thereby to give an opportunity to the loyal subjects under his protection, to distinguish themselves from those who are dis-affected to the King's Government, and at the same time to establish a Military Watch or Patrole for the better maintaining the Police and internal security of the Town. He has still a further view founded on principles of humanity as well as the good of the service. He conjectures that there may be many loyal good subjects here, who in the present [71] scarcity of provisions and fuel may want relief, whose health and strength may admit of their being applied to the good purposes before mentioned. Of such he would select from the Associators a certain number, to be formed into Companies, under Officers appointed by him out of the Associators, to be solely employed within the Town for those purposes; and for which service they should be furnished with arms, and an allowance be made to such as required it, of fuel and provisions equal to what is issued to His Majesty's troops within the Garrison.

The General would wish that the regulation of this Association should be undertaken

[1] Here "Commander in Chief" of course refers to Oliver under his commission as lieutenant-governor.

[2] Here Oliver refers to Howe as "Commander in Chief" because Gage on his departure was succeeded by Howe as commander-in-chief of the British forces in North America.

by some persons in whom both he and the Inhabitants can confide. I therefore refer to you the consideration of this matter; and of such persons as you shall recommend, I will take the earliest opportunity to acquaint His Excellency.

THOMAS OLIVER

And the said Message having been read, Chief Justice Oliver, Brig^{dr} Ruggles and Judge Browne were appointed a Committee, to take the same into consideration and report an Answer thereto.

And then the Board were adjourned to the next day.

Thursday October 26. 1775

Present in Council

His Honor the Lieutenant Governor and the same Gentlemen as on yesterday

The Committee appointed to take into consideration His Honors Message, reported the following answer, vizt

MAY IT PLEASE YOUR HONOR.

Your Honor having been pleased to communicate to the Board His Excellency the Honorable Major General [72] Howe's intention to publish a Proclamation, to promote an Association within the Town of Boston, in order to maintain the Police and internal security of the Town, at this important crisis, as also his desire of its being communicated to His Majesty's Council:—

Your Honor having desired the Opinion & Advice of the Board upon this interesting occasion, we beg leave Sir to express our grateful resentment[1] of His Excellency's great politeness in submitting his intentions to the Board and our warmest sentiments of esteem for that humanity expressed in the intended Proclamation, so evidential of a mind interesting itself not only in attention to the public welfare, but also to the relief of those private distresses in which so many of His Majesty's loyal subject[s] are unhappily involved, from the effects of a most ungrateful rebellion: and a most sensible pleasure must be derived from the reflection that we may expect every thing which we can hope or wish for, from the Military exertions of a Gentleman endued with so amiable a character as that which General Howe is adorned with.

Your Honor hath been pleased to refer the consideration of regulating the form of the Association to the Board, and have intimated General Howe's wish that the regulation may be undertaken by persons in whom both himself and the Inhabitants may confide. We would therefore Sir beg leave to offer as our opinion, that we imagine the affair is so peculiar to the Military Department, that we Advise Your Honor as Commander in Chief,[2] and in whom the Board hath the most perfect confidence, from the experience of your abilities, to recommend to General Howe such persons to regulate this important and necessary Association as he may approve of, that peace and good order & the safety of His Majesty's Loyal Subjects may be secured & established. [73]

Read and Accepted, and Ordered that Harrison Gray, Foster Hutchinson, John Erving, Daniel Leonard and Nathaniel Hatch, Esquires, be a Committee to wait on His Honor the Lieutenant Governor with the foregoing Answer to his Message of yesterday.

And then the Council was adjourned to the 28th of October.

[1] This word is here used in its obsolete sense of "grateful appreciation or acknowledgment (of a service, kindness, etc.); a feeling or expression of gratitude." Cf. our *Publications*, XVI. 870.

[2] Again the title refers to Oliver under his commission as lieutenant-governor.

Saturday 28 *October* 1775

The Council met according to Adjournment.

Present

His Honor the Lieutenant Governor

And the same Gentlemen as before, except Brig^{dr} Ruggles

The Lieutenant Governor informed the Council, that the Small Pox had broken out in several parts of the Town, and that no steps had been taken by the persons appointed by law to prevent its spreading, & recommended to the Board to take some immediate measures for stopping the progress of that disease before it became more general.

The Board entering into a consideration of the matter requested the Lieutenant Governor to consult with Major General Howe, whether it was for the good of His Majesty's service that it should be stopped.

And the Board was adjourned to Monday the 30th. [74]

Monday 30th *October* 1775

The Council met according to Adjournment.

Present

His Honor the Lieutenant Governor

And the same Gentlemen of the Council, as before.

The Lieutenant Governor having informed the Board that he was authorized by Major General Howe to say that it was for the benefit of the service that the Small Pox should if possible be prevented from spreading;—

The Council thereupon Ordered that Richard Lechmere, John Erving and Nathaniel Hatch Esq^{rs} be a Committee to prepare a Hospital to receive the several infected persons, and to take proper steps for their removal thereto.

A true Copy from the Council Minutes
Attest

Fra^{s} Skinner *D. Sec^{y}*

Lieutenant Governor Oliver to Secretary Dartmouth. Extracts

Boston January 26th 1776

My Lord. . .

I am come now to lay before Your Lordship the state of this Town, in which I beg leave to be a little more particular.

The Town of Boston, which in its most flourishing [75] state might contain about 15000 Inhabitants, is now reduced to about 3500. Of this number I presume there may be one thousand males. Two hundred and fifty of which are refugees from the Country, 750 of its original male inhabitants, and 2500 women and children.

Of the 1000 males I have no doubt that 500 are truly loyal subjects, and such as have exhibited the strongest proofs of their attachment to Government. Of

the remaining 500 I believe one half, viz. 250 to be as strongly attached to the Rebel interest; the other half to be mere indifferent. I should here observe that the women and children are for the greatest part families of the loyal subjects, the others having more generally sent their families out when they could not go themselves; so that the Loyal and their connections may amount to upwards of 2000.

During the Blockade these people have generally subsisted themselves by their own means & industry. The difficulties they have undergone have been great and pressing. We had no fund to support these people nor the expence of the Police; no rent being paid either by the troops or others, at least with very few exceptions. Under these circumstances it was impossible to exercise the Civil Powers, without embarrassment to the service, and for that reason it has continued in a dormant state, most things being conducted in a Military line. Thus far My Lord, I have acted upon my own judgment; but I could wish to have Your Lordships directions for my future conduct.

If this post is to be maintained and the country to be penetrated from hence, it may possibly produce such an alteration of circumstances as to require an alteration of our present mode of Government. If we are able to drive the Rebels back in the country (which will require a great force and early applied) it may [76] open a door to many persons coming in, of whom we may form some kind of Civil Society. A continuation of military Government in that case, might deter many from returning to their loyalty, and lead them rather to retreat back with the Rebels, to the increase of their numbers.

If a Garrison should only be continued here, and the War prosecuted in some other part, and the Port Bill suspended (which seems absolutely necessary) Trade in that case might require a restoration of Civil Government, or many of the Inhabitants must be supported as part of the Garrison at public charge.

But if this Place should be abandoned & the army remove to any other part of the Continent, I beg leave to be directed how I shall dispose of the Council and other Civil Officers. To carry them with the army would perhaps be a clog to the service: to leave them behind, would be to expose many of them to destruction. There are I suppose sixty or seventy Persons, with their families, who could never make their peace with the Rebels, and who would be unable to subsist themselves by any means when deprived of their Property. Thirty of them, exclusive of the Revenue Officers, are now some way or other supported by Government. If that support was continued they might remove to some cheap country, until their services were wanted: but the remainder must suffer. . .

Your Lordships most faithful and
most obedient humber Servant
THO^{s} OLIVER [77]

LIEUTENANT GENERAL [*sic*] OLIVER TO SECRETARY DARTMOUTH. EXTRACTS

Boston March the 10th 1776

MY LORD.

General Howe having determined to remove with the Garrison immediately from this place, (the reasons of which Your Lordship will more particularly learn

from him) I am now preparing to embark for Halifax, with the Council, and such of the Inhabitants as dare not trust themselves to the violence of the People.

Solicitous to pursue such steps as may be most for the interest of Government I am under some embarrassment what course to take; whether to go with the army, or to proceed to England. But as the shipping here is not sufficient to convey those who choose to leave America, I thought it most prudent to go with them to Halifax.

General Howe has been so kind as to provide us ships, but as our removal is sudden and the means of transportation rather confined, we are obliged to content ourselves with taking only such necessaries as will barely suffice for the passage. The remainder of our effects we must leave behind. . .

As my charge and trust must of course cease (at least for some time) and as I can no way contribute to the promoting of the service, I shall think it my duty to repair to England. . .

I have the honor to be, My Lord
Your Lordships most obedient
& most faithful humble Servant
Thos Oliver [78]

Lieutenant Governor Oliver to Secretary Lord George Germain. Extract

*Halifax Nov. Scot*a 21 *April* 1776

My Lord.

By His Majesty's ship Milford I had the honor to receive Your Lordships letters, circular, bearing date the Tenth of November and 23d of December last. . .

The abandoning of the Town of Boston, & removal of the troops from that post, renders it, My Lord, unnecessary to say any thing upon the subject of Your Lordship's instructions to me, as Civil Commander[1] of that Province. I can only assure Your Lordship that, had it been expedient to have maintained that Post, I should with the utmost zeal, have continued to have discharged my duty in paying all obedience to His Majesty's Instructions. . .

I have advised with General Howe, my Lord Percy, and Admiral Shuldham, whether by my continuance here, I could in any degree contribute to the promoting of His Majesty's service. They all agree, that in the present circumstances there can be nothing for me to do, and approve of my going to England. . .

The Honble Major General Howe having determined on the 6th of March to evacuate the Town of Boston, made me acquainted with his intentions, & desired I would with the greatest expedition prepare the Council and such of the Inhabitants as choose to leave the Town, for embarking with the Army. Accordingly the short time allowed for that purpose was employed in making the necessary preparations; and on the Tenth of March, by orders from the General, we embarked on board five transports allotted for that [79] purpose. The very hasty manner of our embarkation, as well as the crowded condition of the ships, prevented our taking with us any thing more than our private Papers, Plate, and Sea Stores.

On the 17th of March the General and the Army embarked, . . . and, stopping

[1] That is, as lieutenant-governor under his commission as such.

at King-Road some days to make the necessary arrangements, and to destroy the works at the Castle, proceeded to Nantasket Harbour. On the 25th of March the wind being fair, we sailed in the first Division for Halifax, under the convoy of the Fowey Man of War, where we arrived the 29th of March. . .

I Robert Lemon Chief Clerk in Her Majesty's State Paper Office, London, do hereby Declare that this Transcript of the Minutes and Proceedings of the Council of the Province of Massachusetts Bay, from the 9th *of April* 1774 *to the* 21st *of April* 1776, *is a true Copy, extracted from the Originals preserved in the State Paper Office. Witness my hand this* 3rd *day of September in the Year of Our Lord One Thousand Eight Hundred and Fifty Two.*

Robt Lemon

I hereby Certify that Mr Robert Lemon made the above Declaration and signed the same in my presence this 3rd day of September 1852.

Abbott Lawrence
Envoy Extraordinary & Minister Plenipotentiary
of the United States of America

April Meeting, 1937

A STATED MEETING of the Society was held, at the invitation of Mr. ALLYN B. FORBES, at No. 18 Traill Street, Cambridge, on Thursday, April 22, at half after eight o'clock in the evening, the President, SAMUEL ELIOT MORISON, in the chair.

The records of the last Stated Meeting were read and approved.

The Corresponding Secretary reported that letters had been received from Mr. JEROME DAVIS GREENE and Dr. HENRY ROUSE VIETS accepting Resident Membership in the Society.

Mr. VERNER WINSLOW CRANE, of Ann Arbor, Michigan, and Mr. JAMES ALEXANDER WILLIAMSON, of London, England, were elected Corresponding Members; and Mr. GEORGE GREGERSON WOLKINS, of Newton, was elected an Associate Member of the Society.

The President appointed the following committees in anticipation of the Annual Meeting:

To nominate candidates for the several offices,—STEPHEN WILLARD PHILLIPS, MATT BUSHNELL JONES, and STEWART MITCHELL.

To examine the Treasurer's accounts,—ALLSTON BURR, BENTLEY WIRT WARREN.

Mr. ROBERT E. PEABODY read a paper entitled:

A Voyage to the Mediterranean
during the Napoleonic Wars

AT the Essex Institute there are carefully preserved in scrapbooks many of the business papers and letters of Elias Hasket Derby of Salem, who was one of the leading American shipowners and merchants in the period directly following the Revolution. Among these papers are a series of letters written by Elias Hasket Derby, Jr., master of the ship *Mt. Vernon*, on a voyage to the Mediterranean in 1799 and 1800 during the period of the Napoleonic Wars, and these furnish such a good

description of a typical voyage in those troublous times that they deserve a place in this Society's *Publications*.

Carrying on a West Indies and Spanish business established by his father in colonial days, Elias Hasket Derby, Sr., engaged in privateering during the Revolution, and after the war extended his trading operations to China and the East Indies. His ships were well known in such distant places as Canton, Calcutta, Batavia, the Cape of Good Hope, St. Petersburg, and Hamburg, as well as in such nearer ports of the West Indies as Havana, Martinique, and Barbados. American vessels were then subject, not only to the ordinary perils of the sea, but also to the constant danger of capture by privateers in search of booty, or by men-of-war of the various European nations who maintained the right to seize any ships bound to an enemy port. Most of Derby's ships were, therefore, fully armed to resist attack, and the commanders had to be navigator, trader, and naval officer all in one.

Although Derby's business after the Revolution was principally with the East Indies, by 1799 the wars in Europe had caused prices so to rise that there were excellent opportunities for profitable trading ventures in that part of the world. In 1798, Derby had Retire Becket, the well-known Salem shipbuilder, construct for him a fine ship of 350 tons, 100 feet long and 28 foot beam, and in January, 1799, she was completed and named the *Mt. Vernon*. As she was the best in his fleet, he gave the command to his thirty-three-year-old son, Captain Elias Hasket Derby, Jr., who had already made several East India voyages as master of his father's ships. Captain Derby had under him a crew of thirty-four, consisting of three mates, a gunner, a boatswain, two carpenters, a sailmaker, twenty-one seamen, a steward, two cooks, and two boys. The *Mt. Vernon* carried an armament of twenty guns and was thus in a position to resist attack from anything but a fully armed man-of-war. For her first voyage the elder Derby decided to send his new ship on a short trip to Cuba, which would give an opportunity for trying her out before sending her to more distant ports, and on February 21, 1799, the *Mt. Vernon* sailed from Salem for Havana practically empty, having in her holds only 200 barrels of flour, 28 casks of cheese, and 12 casks of sherry, the whole valued at $2,911. But Captain Derby took with him in his strong-box 32,000 gold dollars and 11,698 dollars in bills on Havana. On March 13, the *Mt. Vernon* arrived at Havana, where Captain Derby disposed of his small cargo and invested his specie and bills in a full cargo of sugar, and on April 26 she sailed again for Salem with 1,198 boxes of sugar and 400 sacks of coffee, the two items together valued at $49,448. The *Mt. Vernon* arrived in Salem on May 23, but apparently only a small part of her cargo was dis-

charged as Mr. Derby decided that he could obtain a better market for the sugar in Europe.

At that particular time the United States was on unusually good terms with England, whereas our former ally, the French, had so harassed American commerce that the United States was almost at war with them. The various missions sent from this country to Paris to settle matters got but scant recognition from the constantly changing French authorities, whilst the English just at this period were extremely conciliatory to the Americans in order to gain their coöperation against Napoleon. The defeat of the French in the battles of the Nile and the Trebia and the English domination over the Kingdom of Naples made it look at that time as if Napoleon would be stopped in his ambitious programme. Mr. Derby accordingly decided to send the *Mt. Vernon* to Gibraltar, then, as now, a British stronghold, and to dispose of her cargo of sugar either there or in any other Mediterranean port where the ravages of war had created a demand for this commodity. Accordingly on July 11, 1799, the *Mt. Vernon*, still under command of his son, sailed from Salem for Gibraltar with a cargo of 800 boxes of sugar valued at $43,272. The voyage is best described by the following letter of Captain Derby to his father, written on his arrival at Gibraltar.

Gibraltar 1st August 1799

Hon'd Sir

I think you must be surprised to find me here so early. I arrived at this port in 17½ days from the time my Brother left the Ship, in 8 days & 7 hours were up with Corvo & made Cape St Vincents in 16 days. The first of our passage was quite agreable—the later part light winds, calmes & Frenchmen constantly in sight for the 4 last days. The Frenchman we saw off of the Island of Terceira, a Lugger to the north^{d}. Being uncertain of his force we stood by him to Leward on our course & soon left him. On the 28 July in the afternoon we found ourselves approaching a fleet of 50 Sail. Running direct for their center, at 4 oclock found ourselves directly in their half moon. Concluded it imposible that it should be any other than the English Fleet, determin'd to run for their center to avoid any appearance of a want of confidence in them. They soon dispatched an 18 Gun Ship from their center & two Frigates, one from the Van & one from their Reir, to beat towards us, we being to wind^{d}. On approaching under easy sail the center Ship, I fortunately bethought myself that it would be but common prudence to stear so far to windward of him as to be about a good grape shott's distance from him, to observe his force & maneuvering. When we were abrest of him he fired a friendly Gun to leward & hoisted English Colours. We immediately bore down and went to pass under his Quarter between him & the Fleet, showing our American Colours. This movement disconcerted him & it appeared to me he conceived we were either an American Sloop of War or an English one in disguise, attempt-

ing to cut him off from the Fleet; for whilst we were in the act of wearing on his Beam, he hoisted French Colours & gave us his Broad side. We immediately brought our ship to the wind, stood 1 mile beyond, wore towards the center of the Fleet, hove about & crossed him on the other tack about half grape shot distance & received his Broad side, many of which fell on Board & cut our sails, & two round shot struck us without much damage. All hands were active in clearing Ship for action, for our surprise had been compleat. In about 10 minutes we commenced our stern chases & in 14 or 15 gave him our Broad side in such stile as evidently sickend him; for he immediately luffed in the wind, gave his lea Broad side, went in Stays in great confusion, wore his Ship in a large circle & renewed the chase at a mile & half distance, a menuvre calculated to keep up appearances with his Fleet and to distance our shott. We received 7 or 8 of his Broad sides & I was mortifyed at not having it in my power to return him an equal number without exposing myself to the rest of the Fleet, for I am satisfyed I should have had the pleasure of sending him home had he been separated from the Fleet. At 12 at Night we had distanced their chasing Rockets signals almost out of sight & soon left them.[1]

We then kept ourselves in constant preperation till my arrivall here & indeade it has been requisite; for we have been in constant brushes ever since. The day after we left the Fleet were chased till night by 2 Frigates whom we lost in the dark. The next morning off of Cape St. Vincents in the Latitude of Cadiz were chased by a French Latteen rigged Vessel apparently of 10 or 12 guns one of them an 18 pounder, for whom we lay too. His Mettle was too heavy for ours & his position to wind^{d}, where he lay just in a situation to cast his shott over us, would not allow me to cut him off. We of course bore away & saluted him with our long Nines. He cont^{d} in chase till dark when we were near by Cadiz. At sun set he made a signal to his consort a large Lugger whome we had just made ahead with a strong Breese & over whome we were determined to pass our stern did not he make way for us. He thought prudent so to do & let us pass. At midnight we made the lights in Cadiz Town, but no English Fleet. After Laying too till daylight concluded that the French must have gained the ascendency in Cadiz & thought prudent to proceed to this place where we arrived at 12 o'clock popping at Frenchmen all the forenoon. At 10 o'clock off Algeceras Point was seriously attacked by a large Lattiner who had on board better than 100 men. He came so near to our Broadside as to allow our 6 pound grape to do execution. We gave it him handsomely, then bore away & gave him our 4 stern guns in a cool and deliberate manner, doing apparently great execution, our bars having cut his sails considerably. He was hove into a confusion & struck both his Ensigns & Pendant. I was then pusseled to know what to do with so many men, our ship was runing

[1] The fleet from which the *Mt. Vernon* so narrowly escaped was undoubtedly the French, under the command of Admiral Bruix, which was sent from Brest into the Mediterranean in the spring of 1799 to support Napoleon in Egypt after Nelson had destroyed the French fleet in the Battle of the Nile. However, without going into the eastern Mediterranean at all, Bruix returned to Brest on August 13, 1799, so that this must have been his fleet that the *Mt. Vernon* met off Cape St. Vincent on July 28.

large with all her steering sails, Ringtail & Water sail out so that we could not immediately bring her to the wind & we were directly off of Algeciras Point from whence I had reason to fear she might receive assistance & my port of Safty, the Rock of Gibralter, in full view were circumstances that induced me to give up the gratification of bringing him in. It was however a satisfaction to lick the rascle in full view of the English Fleet who were to Leward.

The risque of sending here is great indeed for any ship short of our force in men and guns but particularly in heavy guns. I have now whilst writing you two of our Countrymen from above in view who are prises to these Villins. Lord St. Vincents in a 50 Gun Ship bound for England is just this minute in the act of retaking one of them, the other goes into Algeciras without molestation. I finde that nothing is to be done here to advantage but the obtaining of information from above. I have been offered 30 Dollars to delliver my Sugar at Naples where I think I shall go, but rather expect to sell either at Venice, Constantinople or Genoa in case the French are driven from the last place. I have concluded to touch at Malaga in Comp^{y} with Capt. Young of Boston & obtain what information I can & I think I may direct Mr. White how to lay out the property in his hands against my return as I think it for your interest to have it out of Spain. You need have but little apprehensions for my safety as my crew are remarkably well trained & are perfectly disposed to defende themselves & I think after having cleared ourselves from the whole French Line in so handsome a manner you may well conclude that we can affect almost anything. If I should go to Constantinople it will be with a passport from Admiral Nelson to whome I carry a letter to Naples; but it is not imposible I may come directly home from Naples. The English Fleet left this on the 30 July in pursuit of the French. They have been unluckey in their winds or they must have had them. My crew as well as myself are in fine health & spirits, none of them have wounded though so many shotts came on board & there are but few shott marks on our Ship except^{s} 6 went through the M. T. G. Sail. Were obliged to blow away our stern Boat in firing on the Enemy. You need not expect to hear of any trouble with Malaga for their shores are as clear of Frenchmen as are the coasts of America. Till my next I am your affectionate son,

Elias Hasket Derby, Junr.

Captain Derby was making preparations to continue his voyage to Naples when he met in Gibraltar one John Williams of Baltimore, who had just sold a cargo of brandy and was anxious to invest the proceeds in a new venture. It appears that Derby, Sr., also had a credit for some goods previously sold at the neighboring port of Malaga. Captain Derby accordingly joined with Williams in the charter of an American brig, the *Three Friends*, Captain Allen, which was then lying in port, and with their joint credits and notes on London they purchased a cargo of sugar, coffee, cocoa, and tobacco, with which they loaded her. On August 18, the *Mt. Vernon* and the *Three Friends* sailed for Naples in company with two other American ships, the four keeping together for mutual protection. The *Three*

Friends, however, proved to be such a slow sailer that most of the way she was towed by the *Mt. Vernon*, but the log tells that even with "the brig in tow the Mt. Vernon sails 1/3 faster than the other ships." On August 23, without meeting any hostile craft on the way, the little fleet arrived at Palermo. The markets at this port, however, were not encouraging, and after a week's stop the four American ships once more got under way, and on September 2, anchored in the Bay of Naples.

For the past year Naples had been the scene of revolution and bloodshed. King Ferdinand and Queen Carolina of Naples had been much alarmed at the growing power that the French Republicans were exerting over Europe, and in 1798, with the hope of aid from England and Austria, they made so bold as to declare war on France. This resulted in the French turning on them, and in January, 1799, a French army, aided by the Neapolitan Republicans, captured Naples. The king and queen fled to Palermo where they set up their court. In the meantime, a few months earlier, Nelson, returning with his fleet from the Battle of the Nile, had stopped in at Naples where he had made the acquaintance of the famous Lady Hamilton, wife of the British minister to the Neapolitan court. Largely through her influence he was induced to espouse the cause of her friend, Queen Carolina, and to lend his aid in an attempt to regain Carolina's capital. A Neapolitan army was organized throughout the kingdom, which, after much fighting, reached Naples in June, 1799, while Nelson, acting as a Neapolitan admiral, attacked the city from the sea with his British fleet. The Republicans were driven out, many of the captured being put to death. The king and queen and Sir William and Lady Hamilton returned to Naples, and Nelson and his fleet remained lying in the bay.

Such was the situation when, a few weeks later, the four American ships, headed by the *Mt. Vernon*, arrived in port. Owing to the almost continuous fighting of the past year, there was a great dearth of many necessities, and the cargoes of the *Mt. Vernon* and the chartered brig, the *Three Friends*, met with a ready market. On the twenty-ninth of October Captain Derby wrote his father from Naples as follows:

Naples, 29 *Oct*^{r} 1799

HON^{D} SIR

That this may find you in better health than when I left you is my sincear wish. It has been an unhappy circumstance in my voyage that I cannot bring it to a close agreeable to your wishes this fall without too great sacrifises. My manufactured Silks cannot be ready & the Red Wine of Port Iolo is not yet in season to Ship. My Sales have been handsome though not quite so great as I could have

wished. I have been obliged to use a great deal of address & exersize all my patience to effect them. They will amo[t] to about 120 Thousand Dollars. I have bought 16 Brass Guns at 1/ Sterling p[r] pound expecting them to be as good a return as almost anything. Allso 65 Boxes Manna & 8770 lb Liquorice, 16 or 18 hundred Dollars in Ladys & Mens Gloves, the same sum in Ladies Shoes, which with an Invoice of Brushes & some other small matters, to gether with fifty Thousand Doll[s] contracted for principaly in Ormazine Silks, some Black, White & Coulr[d] Sattins, about seven Hundred Casks of Wine in 58 Gall[s] French fashioned Casks at about 12 Dollars, I expect will compose the Mount Vernons cargo for America.

In the mean time whilst the Silks are in the Looms I have thought it for your Interest to purchase two Polacker rigg[d] Ships of 290 & 310 Tons, both of them very fine Ships allmost new & great sailers. They are now ready to procede with the Mount Vernon for Manfredonia to take on your acc[t] Cargoes of Wheat to Leghorn, which from the rising state of the Market I think will more than clear the Ships. The cost with all expences about 16 Thousand Dollars & By means of the Brass Guns & others bought with them they Mount 12 & 14 Sixes. Wages 9 Doll[s] p[r] Month. I think if I have the good fortune to bring them safe home you will allow either of them to eaqual the Mount Vernon. My present intentions is to make all the Dispatch in my power to return with the three Vessels to this place & load them with Wine for Salem, which will be in some preperation for them. I hope the arrangement will meet your approbation for I assure you I did not know how I should otherways invest my funds. Exchange on London besides the uncertainty of it is very disadvantageous. To invest 100 Thousand Dollars in Silks would not certainly do & to leave property in a disturbed Country where they Gillotine 6 a Day, 3 or 4 times a week would be madness. Mr. Bruce takes the Lucy & Mr. Dana the Nancy, named for my sister Pickman. They are both well off for Officers & I trust with Mr. Collins & others I shall do perfectly well. If we are fortunate I shall be here in two months or at furtherest I trust in 10 weeks to take my Manufactures & Wines for home, so that in March or April I may count on being home & I think with a good Voyage. We are in fine Health & Spirits.

The news in this Country is that Suvarov has beaten the French in Switzerland in a terrible Battle loosing himself 4000 horse & 10,000 Men, killing 15 Thousand French & 20 Thousand Prisoners. Buonapart has assumed the Turks, put on their Dress, married a Turkish Lady, calls himself Ali something else, is building a Mosk & declared himself the Chief of Cairo. His situation was desperate but tis said he is now successful. I am with many wishes for yours & the Familys Wellfare, Your Affectionate Son,

Elias Hasket Derby, Junr.

P. S. The English Minister, Lord Nelson & Commodore Trobridge have been very polite to me.

While carrying on these profitable transactions at Naples, Captain

Derby several times enjoyed the hospitality of Sir William Hamilton and of Lord Nelson. One of Captain Derby's descendants thus describes an amusing incident that took place on the British flagship.

> Mr. Derby was invited by Lord Nelson to dine with him and the officers of the fleet at Naples, and was called upon to relate his encounter with the French fleet, for which he was much commended. In the course of the evening, one of the English officers, becoming a little excited, began to inveigh against the ingratitude of the United States, in throwing off her allegiance to the mother country. Mr. Derby disarmed his opponent and restored the good-humor of the company by stating that they did not understand the true causes of the Revolution; that the colonists, like themselves, had a great fancy for punch and Madeira and were disturbed by a set of custom-house harpies, who were constantly seizing their wine and spoiling their lemons by running their rapiers through the boxes, and they fought, as any true Briton would, for their punch and their Madeira.

It is evident that both Nelson and Hamilton assisted Captain Derby considerably while he was at Naples. Nelson gave him a signed passport which is still one of the cherished heirlooms of the Derby family; and Captain Derby's debt to these two men is further evidenced by a letter that he wrote on his arrival at Manfredonia to the English consul in Naples: "I take this opportunity of requesting you to return my most sincear acknowledgments to Sir William and Lady Hamilton for their polite attention to me and particularly to my Lord Nelson whose goodness will always be remembered with the utmost gratitude."

On November 8, Captain Derby sailed in the *Mt. Vernon* from Naples for Manfredonia. This port is on the eastern coast of Italy, and a voyage there involved a trip around the bottom of Italy and up into the Adriatic. As mentioned in Captain Derby's letter to his father, already quoted, he took with him the two polacca-rigged vessels which he had purchased at Naples. The little fleet had a most tempestuous voyage around the Italian coasts with head winds which badly buffeted the empty ships. On November 28, the *Mt. Vernon* and her convoy arrived at Manfredonia after a passage of three weeks, although overland from Naples to Manfredonia the distance is not more than one hundred miles. From Manfredonia Captain Derby wrote to his agents in Naples:

> My wheat is all ready, and I hope in a fortnight to be able to proceed for Leghorn. We arrived here yesterday after a most tedious passage—thirteen days in sight of Corfu; were fired on by two Turkish polaccas, but on answering their shot they made off; one of them a 20-gun ship went after leaving us and anchored under Cape Coloma; the other of 18 or 20 guns was off Cape Otranto. They have succeeded in taking from what they tell me here eleven different polaccas.

Although Captain Derby anticipated only a fortnight's stay at Man-

fredonia, it was a month before his three ships loaded their cargoes of wheat and sailed for Leghorn. This port is at the northern end of the western coast of Italy, and thus the little fleet had to retrace its course around the heel and toe of Italy and up into the Gulf of Genoa. They reached Leghorn early in February, 1800, and Captain Derby's most sanguine expectations were realized when he sold all three cargoes at an excellent profit over and above the expenses of the expedition. He writes in one of his letters: "The two polacca-ships which I had bought with my own funds have cleared me near $30,000 in 2½ months." Thus he had kept his ships profitably employed while his homeward cargo for America was in preparation at Naples. Moreover, in another letter he wrote: "I shall now decidedly be able to invest more than $160,000 home including the ships." As the *Mt. Vernon* had sailed from Salem seven months before with a cargo invoiced at $43,000, Captain Derby had certainly every reason to be pleased with the success of his voyage thus far. But unfortunately Elias Hasket Derby, Sr., the owner of the ship and cargo, never knew of the success attendant on the *Mt. Vernon's* voyage, for while his son was carrying on his transactions in Naples, the famous merchant had passed away at his home in Salem, although the sad news did not reach Captain Derby until his arrival in Leghorn. This event made Captain Derby all the more anxious to complete his voyage, and after discharging his wheat and finishing his affairs at Leghorn, he set sail with his three ships for Naples on March 8, and with a fair northerly wind anchored under the shadow of Vesuvius after a passage of forty hours.

On his return to Naples Captain Derby found that his father's brig *Cruger* had recently arrived from Salem and had disposed of an American cargo, and that her captain was about to lay out the proceeds in a cargo for Salem. Thus four Derby ships were lying in the Bay of Naples at one time. It is evident that Captain Derby felt that four cargoes from Naples were too many to take home at one time. He accordingly sold one of the polacca-ships, and the other he loaded for Gibraltar, while the cargo for America, consisting of ormazine silks, various satins, and 700 casks of red wine, together with various lesser items, was loaded on board the *Mt. Vernon* and the *Cruger*. When about ready to sail, Captain Derby was approached by a young Italian artist, Michael Felice Corné, who, weary of his service in the Neapolitan army against the French, was anxious to get to America. Captain Derby gave him a passage in the *Mt. Vernon*, and thus there came to this country a man who established a reputation as one of the leading marine artists of the time. Many of his paintings are to be seen today in the Peabody Museum at Salem. The *Mt. Vernon* was his favorite subject, and his paintings of this ship in her engagement with the French fleet and

with the French privateers off Gibraltar are among the best in the Peabody Museum.

In the latter part of April the *Mt. Vernon*, the *Cruger*, and the remaining polacca sailed from Naples and early in May arrived at Gibraltar. Here the polacca and her cargo were sold, and on May 28 the *Mt. Vernon* and *Cruger* sailed for Salem. The *Mt. Vernon* reached her home port on July 7, after a year's absence, and the *Cruger* arrived three weeks later. The sale of their cargoes resulted in a net profit of about $100,000.

The *Mt. Vernon's* was the last of the many great trading voyages undertaken by Elias Hasket Derby, Sr. His sons were left in such comfortable circumstances that none of them displayed the vigor of their father to carry on the business. The *Mt. Vernon* and the other ships were sold to settle the estate, and the Derby flag soon disappeared from the seas.

Mr. SAMUEL E. MORISON presented the following paper:

The Letter-Book of Hugh Hall

Merchant of Barbados, 1716–1720

THE Harvard College Library has recently received as a loan the letter-book of Hugh Hall, merchant of Barbados, from 1716 to 1720. The letters are all written in a neat hand in a calf-bound blankbook of some 275 pages, the last few pages serving as an index. This book is owned by the writer's descendant, Mrs. Jerome W. Coombs, of Scarsdale, New York. Some fifty years ago, three letters from it, written to Benning Wentworth, the future governor of New Hampshire, were printed,[1] but otherwise it does not seem to have been used.

Hugh Hall was born in Barbados about 1693, the son of Hugh Hall (1673–1732), merchant, judge of admiralty and councillor for Barbados. The elder Hall was engaged in trade with Boston, where he passed much of his time, and where he married three successive wives. Our Hugh was his son by the first wife, Lydia, daughter of Benjamin and Lydia (Scottow) Gibbs of Boston. She died when Hugh was a small boy; but her mother, who appears in the letter-book as "Mrs." or "Madam" Colman, lived to a ripe old age, having married (2) Anthony Checkley, attorney-general of

[1] *New England Historical and Genealogical Register*, XLII. 300–307. I have also had the benefit of the notes taken by our associate, Clifford K. Shipton, in preparing a sketch of Hugh Hall for Volume VI of Sibley's *Harvard Graduates*. The Hall arms and crest here reproduced are: arms—silver semy of crosslets and three talbots' heads sable, the tongues gules; crest—a talbot's head erased sable, the tongue gules.

Arms and Crest of the Hall Family

Massachusetts Bay, and (3) William Colman, father of the famous Reverend Benjamin Colman of the Brattle Square Church.

After the age of six or seven, Hugh lived in Boston under his grandmother Colman's care. He graduated from Harvard at the head of the small Class of 1713, remained in residence after taking his bachelor's degree, and delivered an oration at his master's Commencement in 1716. A letter to President Leverett, written in February, 1717, indicates that he had "Inclinations . . . to a Pastoral Function," which President Leverett encouraged, but his father discouraged. Even before he graduated, Hugh was selling consignments from his father in Boston, and he saved up so much from his allowance as to surprise his father and earn a bonus from the fond parent. This pointed to a business career, and business won. Our letter-book opens in November, 1716, with a letter from Hugh to Joseph Parsons, merchant in Boston, telling about his voyage home.[1]

From this letter it appears that Hall sailed from Boston, October 11, 1716, suffered damage in a northeast storm and a southwest gale, "Entred ye Trade Winds" on the twenty-fourth, and arrived at Barbados, November 5. There he was greeted by his father, who took him into partnership. Although young Hall disliked "those Wooden Worlds called Ships; besides ye Profanity, Nonsense, & Anarchy, which is ones Continual Entertainment" on board, he did not care to remain in Barbados all his life; and in the spring of 1717 he made a voyage to London, with sundry adventures in goods and all the letters of introduction that he could obtain in Barbados or Boston.[2] The voyage lasted from April 6 to May 22, when Hall and the other impatient passengers were put ashore at Seaford, Sussex, from the ship which was becalmed. At London his "train of Recomendations" introduced him to "several Members of Parliament, & an Intimacy with men of bright Characters and good Figure."[3] He writes to his college mate, Benning Wentworth, commenting on the ferocity of the Whig and Tory politicians and their ladies, and on the patches then worn on the face by fashionable ladies:

Another Remark I have made is that ye Female Furios of both Parties have lately made great Proficiency in the two Liberal Sciences of Astronomy & Geometry, & their Problems are Exactly Adapted to their Distinctions. The Tories of ye first Rank place their Patches in Parabolick, others Elliptick, & the Adorers of Ptolomey in Circular Orbs, & ye meaner Sort offer at ye Constellations, which

[1] This was probably Joseph Parsons of the Class of 1697, who was dismissed from the ministry in 1708, and was in business in Boston until 1717. Sibley, *Harvard Graduates*, IV. 366–368.

[2] He wrote to President Leverett, February 28, 1717, requesting letters "to some of ye Royall Society, or South Sea Company"—an odd alternative.

[3] Letter to President Leverett, August 2, 1717. Letter-Book, p. 29.

very Appositely Answers their Character of high Flyers.—The Whiggish or Low Church Ladies have such profound Knowledge in Geometry that all ye Diagrams in Euclid are Exactly delineated in their faces, & they can as easily describe an Octaedrum in a given Cube, or acquaint You the Proportion ye Cone has to ye Cylinder of ye same Base & height; as to bisect a Right line, or raise a Perpendicular.

It soon appears that one purpose of Hall's visit to London was to make connections in the highly respectable and remunerative "Guinea Busieness." An obstacle was the "Barbarous Usage of several Gentlemen" in London "by some of our Barbadians," said barbarity having nothing to do with the treatment of slaves, but with slow and short remittances for black goods received. Mr. J. Horagan, an Irish merchant resident at "Seralion," is assured that any commands he may deliver to Hugh Hall in Barbados will be discharged with "Fidelity, Industry, & Integrity." To President Leverett, Hall writes that he is sending to the college library, "as a small Testimony of ye Regard" he owes to *alma mater* (which he translated "my Beautiful Mother") a copy of Bishop Beveridge's *Thesaurus Theologicus* in four volumes,[1] together with "a Dissertation of Atheism." Hall seems always to have kept up a certain interest in the college. In February, 1718, he writes from Barbados to his former chum, William Welsteed:

DEAR CHAMBER-MATE,

It is now nigh two Years since I left my Beautiful Mother of Cambridge, & have not yet had the Favour of one Line (either Salutatory of Congratulatory) from some of my Brethren, who seemingly Caress'd me with ye highest Affection, & made me Repeated Promises of a liberal Correspondence; but now like too great a part of ye World, can't Spare a few Minutes of an Elemosinary Hour, to Entertain an Absent Friend with the Occurrences of his Country. . . . I should next have launch't out into Satyr, but Methought I saw You spinning Conclusions of Your Neglect, & Promising an Atonement by an Imediate Apology; which if according to my Expect[at]ions, I Assure You I Intend to present You with several very Pleasant Observations I made while in England, & particularly my Speculations while at ye Two Famous Universities of Oxford & Cambridge, wth some other Entertaining Sketches in my Travells; & perhaps may let You know what sort of People we Hottentotts are, how Governed, what Curiosities of Art & Nature we boast of; what Proportion we are to ye seed of Cham here, An Account of the Nature of ye Air, Soil, Produce, & several Other things, which I Persuade my self will be well Accepted if only as Coming from,

Yo^r^ Quondam Chamber-Mate

H. HALL Junr

I hope You take this as one Continued Run of thought; & nothing Studied, or Affected.

[1] London, 1710–11. The set is noted in the 1723 *Catalogue* of the Harvard College Library, p. 71.

Besides visiting Oxford and Cambridge and the country seats of merchants to whom he had letters of introduction, Hall selected dry goods for his father's store and invested an adventure in citron-water, consigned to him by his mother, in "Gauze Scarves, Embroidered Aprons, Ribbonds," and millinery wares. The Oxford Dictionary defines citron-water as "a liquor made from brandy flavoured with citron- or lemon-peel." An example of this very year, 1718, describes a lady retiring "to her Citron Bottle, under the pretence of devotion." Presumably the spirit in Barbadian citron-water was rum, and the fruit, lime. Hall sold the consignment in London for 10*s* a quart, which seems a good price, especially since he complains that it was full of specks and that the sugar had not made "flowers" in the liquor.[1]

By January, 1718, Hall was back in Barbados, writing bread-and-butter letters to the merchants who had entertained him in London. His efforts to get in on the slave trade were evidently successful, for in February, 1718, he is writing to Samuel Betteress and Company of London about the disposal of a cargo of black ivory consigned to him in a sloop:

> We have sold ye Number of Seventy one Negroes, of which Forty three are Men, seven Woemen, Fifteen Boys, & Six Girls; whose whole Amount is Nineteen Hundred & thirty five Pounds, which surmounts Twenty Seven Pounds per head, one wth Another, & question not but ye whole might have Come out at Twenty five or more per head, were it not for ye small Pox & Flux, which took several of them down badly, even after they were Landed; so that we were Oblig'd imediately to Return such on Board, to be with those of them that were Retained on ye like Occasion: as well to prevent Spreading ye Infection among ye rest, as to keep ye Misfortune from being known, whereby ye Sale would have been greatly Prejudiced. . . . But these are such Accidents that can't be Prevented; & it was a great happiness Capt^a^ Longbottom had so fortunate a Passage hither, otherwise ye Voyage (to all humane Appearance) would have been Entirely Ruin'd, by two such Malignant Distempers, amongst ye Negroes, & at ye same time destitute of a Doctor.

One of the unfortunate articles in this consignment turned out to be blind, and some suffered from "a strange Distemper of sore Eyes," which, according to Hall, was "oweing to their Feeding on Rice only." The proceeds of this black cargo were invested in white sugar. Apparently there was great rivalry in Barbados to receive slave consignments, for Hall writes to Samuel Betteress on March 29, 1718:

[1] In a later letter to Benning Wentworth (p. 142), Hall writes, "I could have been Content to have Drank your health in . . . Cytron Water Punch." In the inventory of the estate of Lieutenant-Governor John Montgomery of New York, at the New York Public Library, are several dozen pints of citron-water, which sold at about £2 8*s* a dozen.

I am Aprized that some Interlopers or Understroppers (Men of scarce Cōmon Probity) have Infused Unaccountable Notions of their sole Capacity of Acting in ye Guinea Busieness, & Amused Capt^a^ Longbotham with some Innuendo's of their Gigantick Expectations from You, with some Insipid Ah Butts to our Agency thô at ye same time Acknowledging ye Extraordinary Sale we made of Your Negroes, & Unparrallel'd Dispatch of Your Sloop. . . . I mention these things only to Let You into ye Barbarous & Rascally Method some Guinea Factors here take to get into that Busieness, & not as any Vindication of our Character; for we can't be Conscious of ye least Injustice in Your whole Affairs, having Acted according to that Innate Principle of doing as we would be done by: . . . .

Messrs. Betteress were not satisfied with the proceeds of this adventure in human flesh, and threatened, to Hugh's great grief, to send their next consignment to another factor. Apparently they made good this promise, for Hugh Hall handled no more Guinea cargoes, although we find him purchasing slaves from Guinea ships for his Virginia correspondents.

Hugh's next voyage, in 1718, was to Boston, in order to put brother Richard in school, settle an "Hereditary Estate," and make a little money. To Madam Mary Lascelles of Stoke Newington, near London, he addresses a "Solemn Reflection upon a Storm mett with at Sea," composed by himself, and of which two stanzas will suffice as a sample:

1. To Those that Travell thrô the Seas,
the Lord is their Defence;
His Wisdom always is their Guide,
their Help Omnipotence.

2. In Foreign Realms & Lands Remote,
Supported by thy Care;
Thrô different Climes I've Pass'd in health,
Yet Breathed Malignant Air.

In an amusing letter from Boston to his friend John Timbs, at London, he confesses that he is also in search of a wife, and quotes Milton's "Hail, Wedded Love!" to offset the Earl of Rochester's satire on marriage.

A letter to his father on a dispute over the family estate may be of interest to historians of colonial law:

I perceive from ye Advice of my best Friends, as well as ye most Eminent Attorneys here, I am Foreclosed by an Act we have, for Determining Cases in Equity; which Allows but three Yeares after ye Mortgagee is in Possession for the Vender, Mortgager or his Heirs (without any Respect to Non-Age or Infancy) to bring a Suit of Redemption; & therefore they have Thought it ye most Prudent & Safe Way to make up Amicably with ye Legatees of Capt^a^ Richards, & rather Allow ye Interest of ye Execution, if they Insist on it, than Contend with them:

After which Mr Valentine (our most Celebrated Lawyer) Advices me not to Assert my Property as Heir to my Grandfather Mr Gibbs, but to get Annext to ye Assignment of ye Execution a Bill of Sale,—which makes me a Purchaser; & since by ye Aforemention'd Act the Estate is theirs, it will Secure me against ye Attempts of Capt^a^ Checkleys Children, & he beleives Discourage them from Making any Claim.

Another letter to a London merchant shows that Hall brought with him from Barbados for sale in Boston some Russia linen, "German Rolls," silk druggets, hunting saddles, and horn buttons, and disposed of them to good advantage. He also handled an adventure of his father's and laid out the proceeds in fish, train oil, and "four boxes of Mold Wax Candles." In the course of the summer he received from his father an "Adventure of Iron,"[1] and returned several hogsheads of oats and "Sixteen barrells of Onyons." In the fall of 1718, after settling the estate, he returned to Barbados.

Another commission that Hugh had to perform in Boston was to see to the education of his younger brother and sister, Richard and Sarah. Dick lived with his Grandmother Colman, and was placed at "our best Gramar School" (the Boston Latin), under Nathaniel Williams,[2] who had to dismiss him in 1720; but eventually he entered Harvard and graduated in 1726. Little Sarah was a very modern "problem child." At the age of eight she flounced out of Grandmother Colman's with her personal maid because grandma refused to supply wine with her meals! Hugh ordered her to return, which she did; but he completely washed his hands of the little minx, so that our curiosity as to her later goings-on is not gratified.[3]

By January, 1719, Hugh Hall was back in Barbados. Henceforth his letters are mainly of trade. To a London merchant he sent an order in 1719 which suggests that Samuel Sewall's taste for gaudy funerals was equally prevalent in Barbados:

We are also of Opinion that a Compleat Sortment of all Species for the Supplying of Funeralls (such as black Lutestrings, broad & Narrow Alamodes, & white Sarcenetts, broad & narrow Love Crapes, & Italian Crapes, Black & white broad Taffety Ribbon, black Shamey Gloves for Men, Woemen, Boys & Girls & ditto Shooes for Woemen. Mens & Woemens black Silk Hose, Mourning Fans,

[1] Apparently there was quite a market in Boston for broken cannons and other scrap iron, as later letters show (p. 266). To John Cabot, Hall sent "Six barrells of Select Old Iron" in 1720 (p. 222) and solicits in return "Good Refuse Cod and Polluck Fish" (p. 221).

[2] Williams had formerly been minister of a Congregational church in Barbados. Sibley, *Harvard Graduates*, IV. 182–183.

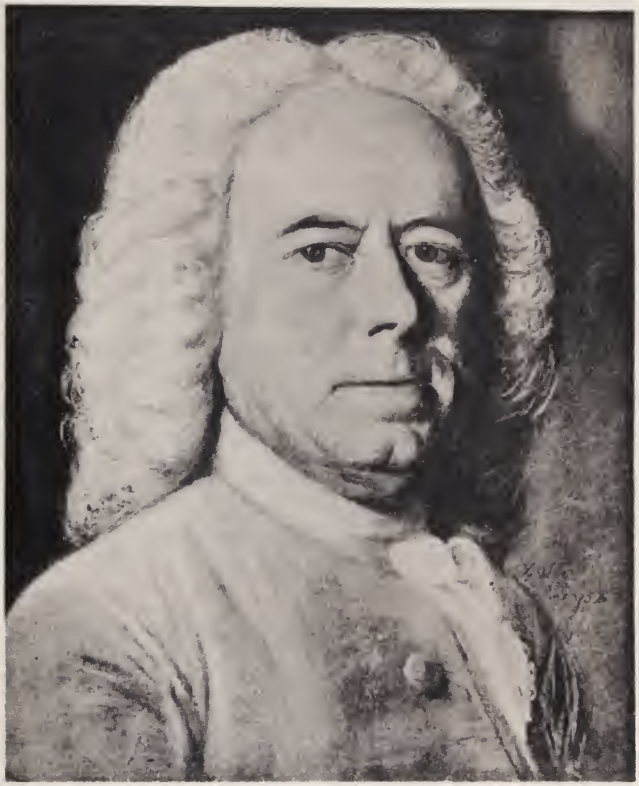
[3] Alice Morse Earle, *Child Life in Colonial Days*, pp. 102–103. Both children took dancing and writing lessons from Increase Gatchell.

Girdles, & Buckles for Shooes & Girdles, black Sewing Silk & black thread, Silk & Worsted black Ferretts, black broad Cloath for Men & Woemen, black Rashes, Serges, Duroys, Poplins, & Perpetuana's which on such Occasions do generally Sell off better than other Goods, & the Debts Contracted thereon (which is Unavoidable in all Traffick here) are not altogether so Precarious as in other Cases, & is for those very Reasons fully Intended to be Pursued on our own Accounts as soon as we shall have Fixt a Circular Method of Remittances hence to Virginia & Maryland, & thence by Bills to London. . . .

For "Colonel Samuel Brown, Esq. and Company" of Salem he sells lumber and fish; to several Virginia merchants—William Short, John Scott, Lewis Conner, William Edwards—he sends prices current and solicits business; from Henry and Nathaniel Harrison of Virginia he receives a sloop-load of pork and grain, and returns slaves, rum, and sugar. Mrs. Nathaniel Harrison sent a present to Mrs. Hall of a mocking bird, which did not survive the voyage. Among Hall's mercantile correspondents are Messrs. Carroll[1] and Garrett of Annapolis, Maryland, who send him Irish salt beef and pork; "John Rogers at New Castle, N: England," John Coit of Marblehead, Andrew Faneuil, John Carnes, John Binning, John Stevens, Daniel Oliver, Captain Thomas Burnton, and Francis Wilks of Boston. For Samuel Gerrish, bookseller of Boston, he purchases "part of an Old Library here at a Cheap Rate." The greater part of his business appears to be handling peas, beans, oats, soap, candles, pork, beef, fish, lumber, and live sheep from New England; tobacco, grain, and meat from Virginia; the same and flour from Maryland; saddlery, clocks, and watches, dry goods and clothing from London; and wine from Madeira. The New Englanders took their returns chiefly in sugar, with some of the London goods; the Virginians in slaves, molasses, cocoa, limejuice, and sugar; and the London merchants in sugar and rum. Some Virginia tobacco and muscovado sugar is sent to Hall's correspondent in Newfoundland, Joshua Winslow of Boston. Most of the adventures are very small—eight barrels of pork, for instance, the proceeds of which, perhaps with an additional credit, are invested in one tierce and one barrel of rum, and one barrel of sugar. On one occasion a certain Captain Cock "in Running down his Latitude Mist our Island & so went for Antegoa." To his grandmother, Mrs. Colman, with whom he is in constant correspondence, Hall sends "a barrell of musc° Sugar for Your own Use with a Cag of Tamerinds & two doz^{n} of Coker-Nutts for your Self and Children, & by Capt^{a} Ellery who will Sail in three or four dayes I Intend You a Cask of Cocoa for Your own Chocolate."

The last letter in the book is dated July 18, 1720. It was doubtless fol-

[1] Doubtless the father of Charles Carroll of Carrollton.



HUGH HALL
from the Original Pastel by Copley

lowed by a whole shelf of letter-books; for Hall eventually settled in Boston, became one of the most prominent merchants there, and lived until June 13, 1773. Yet he does not seem to have been happy either as a correspondent or as a merchant; imports are often complained of as of poor quality spoiled by ill stowage or leaky vessels, or arriving in a dull market; exports can only be purchased at a high price; rival merchants attempt to deprive him of business; shipmasters are careless, and seamen full of villainy. Correspondents are put off by excuses, and amused by sallies of macaroni-like wit rather than satisfied by solid remittances. Possibly this was the manner of speaking among Barbadian merchants at the time; but one receives the impression from this letter-book that Hugh Hall had been educated in a manner that made him feel superior to the sordid cares of business, and that he might have done better to follow his youthful inclination in college to enter the sacred ministry in New England.

Nevertheless, Hugh had over half a century of mercantile life ahead of him when this letter-book closes. By 1723, he and his wife were living in Boston, where they produced eleven children, and he did a brisk business importing clocks, watches, rum, slaves, druggets, mulmuls, and other valuable commodities. On January 9, 1735/36, he was appointed justice of the peace and the quorum by Governor Belcher, which indicates that he had become a person of means and consequence.

The Editor, on behalf of Mr. Howard M. Chapin, presented by title a note on

Some Recently Found Flag Items

WHATEVER throws light upon American naval affairs of 1775, no matter how vague or fragmentary the data may be, is of interest and perhaps of importance to the historian. This was the period of the origin of our navy and also of the American flag, and the recorded information on both these subjects is scanty and unsatisfactory. That is why a few items added to our knowledge of the subject from time to time may eventually form a clearer picture of the activities of that parlous period.

Mr. Harrold E. Gillingham of Germantown recently called my attention to the charge-book or day-book of James Wharton, a Philadelphia ship chandler, which contains several suggestive references in regard to our early naval flags. The book is now in the library of the Historical Society of Pennsylvania at Philadelphia.

Taken by themselves, the items appear at first glance rather dull and routine in character and without much significance or importance. There are many items in regard to all sorts of ship supplies. Those dealing with flags are as follows:

August 15, 1775
Committee of Safety, Dr.
1 white Ensign 8 ft by 13
1 Red do do
dd Capt. White

August 16
Committee of Safety, Dr.
1 Blew Ensign 8 by 13

September 6
Committee of Safety, Dr.
3 ensigns 8 by 13
1 Dutch Jack 5 ft by 8
1 Danish do do.

November 8
Committee of Safety for *Bull Dog*, Dr.
Cash Dr 1 old Ensign 7/

November 30
Committee of Safety for Capt. Hamilton
1 Pendant 20/6

December 1
Cr Margaret Manny for making a Pendant 7/6

December 2
Ship *Alfred* Dr.

49 yds. Broad Bunting @ 2/	4	18	
52½ yds. Narrow do 1/	2	12	6
To making an Ensign canvas & Thd	1	2	8
	£8	12	2
Cr Margt Manny for making an Ensign	1	2	8

December 6
Committee of Congress, Dr.
Dd Capt. Allen Moore 1 Flagg Blew & White

December 12
Ship *Columbus*, Dr.
1 Union Flag

December 12
Committee of Congress, Dr.
1 Flag 5 feet by 7½
amount £1 10 11

December 13
Ship *Alfred* Dr.

145 yds. Broad Bunting @ 2/	14	10	00
8½ do Narrow do 1/		8	6
Making an Ensign, thread & oznabrigs	1	14	10
	16	13	4

December 19
Committee of Congress, Dr.
1 Pendant 10 inches 55 feet Long
1 Jack (Union) Red, Blew & White

December 20
Committee of Congress, Dr.
1 Union Flagg, Green & Red 13 Stripes
3 Pendants, 1 Green, 1 White & 1 Red

December 22
Ship *Columbus*, Dr.
1 Ensign 18 feet by 30

December 22
Committee of Congress, Dr.
4 Union Pendants 55 feet long

December 30
Ship *Alfred*, Dr.
Stores Deld the Master
20 yds Broad Red Buntg
20 yds Broad Blue
20 yds Do White

January 1, 1776
Committee of Congress
2 Blue & White Flags
1 Green, Blue, White & Red Do.
1 Red-1 Green & 1 white Pendant
1 Jack & 1 Pendant blue, white & red

January 2
Ship *Alfred* Dr.
dd the master 1 Broad Pendant

These flag items offer several interesting problems without, however, supplying sufficient data for entirely satisfactory answers.

It is quite clear that the flags supplied to the Committee of Safety, the Committee of Congress, the ship *Alfred*, and the ship *Columbus* were for vessels in the Continental Navy. Of course these were not all the flags used by the fleet. Nevertheless one important point is that included among these flags are several that hitherto are not known thus to have been in use. These are: (1) the Danish Jack (September 6), a red flag with a white cross; (2) the blue and white flag (December 6 and January 1), evidently the British naval signal flag divided horizontally blue and white; (3) the "Union Flagg, Green & Red 13 Stripes" (December 20), a flag with a field of thirteen green and red stripes and with the union of the crosses in the canton;[1] (4) the green pendant (December 20 and January 1); (5) a green, blue, white, and red flag (January 1), presumably a flag divided vertically and horizontally into quarters, each of which was of a different color.

Of these flags numbers 1, 2, 4, and 5 were evidently designed for signal flags, but as these are not included in Hopkins's code,[2] it seems probable that their use was discontinued. The purpose of flag number 3 is problematic. It may have been merely an alternate form of the ensign with the color of the stripes changed. Ensigns with stripes of various color combinations, such as white and yellow, black and yellow, red, white, and blue, and red and white, are recorded by Preble (pp. 243–244) as being in use in the early part of the Revolution. There is a flag with white and blue stripes, which dates from 1778 or earlier, in the museum of the Rhode Island Historical Society. Flag number 3 may have been made different from the regular ensign in order to be used as a divisional flag or as a commanding officer's standard, in which latter case it would soon have been superseded by the so-called Gadsden flag.

It is not surprising to find that the fleet had at first a red ensign, a white ensign, and a blue ensign (August 15, August 16, September 6) doubtless exactly similar to the ones in use in the royal navy and intended as divisional flags.[3] The Union flag (December 12) made for the *Columbus* may well have been either the Grand Union flag or the red ensign.

The items of December 1 and December 2 showing that Mrs. Mar-

[1] At this period the term "Union flag" was used in America to mean a flag having the union of the two crosses in the canton. See George H. Preble, *History of the Flag of the United States of America* (2nd ed., Boston, 1880), p. 197. Cf. the use of the phrase "Grand Union Flag," meaning a flag with a *union* in the canton, not with the *union* as the design of the field.

[2] For a discussion of Hopkins's flags, see "The Signal Instructions of Esek Hopkins," by William Davis Miller, in *The Correspondence of Esek Hopkins*, pp. 7–15.

[3] Cf. W. G. Perrin, *British Flags, Their Early History, and Their Development at Sea*, pp. 117–120.

garet Manny made an ensign for the *Alfred* are very interesting. It will be remembered that it was on December 3 that Hopkins took command and that John Paul Jones claimed to have raised the first American flag, by which he must have meant the Grand Union flag. These entries would seem to indicate that this ensign was the one made by Mrs. Manny. It might be said against this that if it were the Grand Union flag, the entry should have read "An ensign, union, and red and white stripes." However, the only cases in which ensign-type flags are described are those in which more than one flag is charged to the purchaser, as in the case of the various flags charged to the Committee of Safety from August 15 to November 30, and to the Committee of Congress from December 19 to January 1. These descriptions were to aid the memory of the creditor in case of trouble over the charge, not for the purpose of recording historical data.

In the case of the ensign for the *Alfred*, the charge of December 2 was the first against the *Alfred* for a flag so that there was no need of describing the ensign. The word "ensign" was sufficient identification. A second ensign was made for the *Alfred* on December 13, but this was evidently a much larger flag as is shown by the quantity of bunting used. Similarly in the case of the *Columbus*, the flags charged on December 12 and December 22 were not described in detail; the size of the second flag, 18 by 30 feet, is given, thus serving for sufficient identification.

The ensigns made in August were 8 by 13 feet and the Jacks 5 by 8 feet. The ensign of December 2 and the Union flag of December 12 were probably also 8 by 13, but the ensigns charged on December 13 and December 22 were probably 18 by 30 feet. The flag 5 by 7½ feet charged on December 12 was probably a signal flag and was approximately the size of the Jacks of September 6, that is, only half a foot shorter.

Mr. Richard M. Gummere read a paper entitled:

Classical Precedents
in the Writings of James Wilson

EVEN a rapid glance through the speeches, pamphlets, and books of our American colonial leaders, from John Winthrop to the statesmen of Virginia, will reveal their interest in Greek and Roman literary, historical, or legal tradition. This was the outward clothing of their thoughts and in many cases the very stuff of which their inner consciousness was composed. Men of prominence in politics, letters, and art strove for the grand style and deliberately patterned themselves upon the

ancients. Josiah Quincy brought up his family on the *Tusculan Disputations* of Cicero and owned three editions of that author—one for the shelf, one for the table, and one for the pocket. He also maintained that he liked such reading, not so much for scholarly purposes as for their "noble patterns of behaviour."[1] John Adams, who read Cicero's *De Senectute* once a year, lived his subconscious life, if one may use that phrase, in such an atmosphere. When, in August, 1776, a committee of the Continental Congress were considering a gold medal to commemorate the evacuation of Boston, the French artist Du Simitière suggested "Liberty, with her spear and pileus [Roman cap], leaning on General Washington"; Franklin wished a sketch of the Egyptians being overwhelmed in the Red Sea; Jefferson pictured a medal with the Children of Israel on one side, Hengist and Horsa on the other; and our sturdy John Adams proposed the following:

> The choice of Hercules, as engraved by Gribelin . . . The hero resting on his club. Virtue pointing to her rugged mountain on one hand, and persuading him to ascend. Sloth, glancing at her flowery paths of pleasure, wantonly reclining on the ground, displaying the charms both of her eloquence and person, to seduce him into vice.[2]

William Penn was called a Lycurgus so often that one could wish he had stayed in his Province and failed to be a parallel to the Spartan lawgiver whose continued absence made his laws permanent. If the leaders alone had observed this habit of looking upward and backward to the ancients, we could simply ascribe it to their educational and social privileges. But the popular language ran along similar lines. Journalism, presumably for the man in the street, contained the same terminology. Samuel Adams stung Governor Bernard into a fury by continually calling him Verres, after the Roman tyrant-governor of Sicily.[3] The *Independent Chronicle* for December 8, 1779, laments the fate of André, contrasting his manly sacrifice with the treason of Benedict Arnold, for whom

> Gorgonian Harpies whet their claws,
> Cerberean hounds with hungry jaws.[4]

And even slaves reflected this tendency in their names. On November 12, 1779, twenty slaves of Portsmouth, New Hampshire, sent to the State legislature a plea for freedom, stating that "the God of nature gave them

[1] Van Wyck Brooks, *The Flowering of New England*, pp. 21, 22, 45; see also Plutarch's *Cicero*, chap. v.

[2] *Letters of Members of the Continental Congress*, Edmund C. Burnett, Editor, II. 49–50. Presumably "Gribelin" should be "Gobelin."

[3] John C. Miller, *Sam Adams, Pioneer in Propaganda*, p. 108.

[4] Cf. extract from *Pennsylvania Packet*, September 22, 1787, in *Pennsylvania and the Federal Constitution*, John B. McMaster and Frederick D. Stone, Editors, p. 125.

life and freedom, upon the terms of most perfect equality with other men." The signers included Nero Brewster, Pharaoh Rogers, Seneca Hall, Cato Newmarch, Caesar Gerrish. The matter was postponed "till a more convenient opportunity."[1]

Thus from legislative halls and assembly rooms to slave quarters, the tradition of Greece and Rome was ready to hand, either as a by-product of gossip and bombast or as an ingredient of laws, research, and literary creation. And it is especially in order to note the work of one who stamped this tradition upon the statesmanship of our early Republic as thoroughly, if not so dramatically, as did any of the protagonists whose names occur to us whenever we think of that experiment in democratic government.

James Wilson[2] was born at Carskerdo, near St. Andrews, Scotland, in 1742. A scholarship winner at St. Andrews University, then a migrant to Glasgow where Adam Smith was professor of moral philosophy, and finally to Edinburgh, the home of Adam Ferguson and his sound political creed, Wilson absorbed in these northern universities the idea of government according to law and consent which runs, at least theoretically, throughout his writings and speeches. These men upheld a theory, congenial to the framers of a liberal constitution, of free government checked only by the necessary regulations.

It is hard to classify Wilson, for though he was a good Scotchman, he fared badly in his personal finances; and though he held a determined course through the Revolutionary period, he disapproved of the Pennsylvania Constitution of 1776 on the ground that it was too democratic, and helped to draft that of 1790 on a more conservative basis. His reputation was made in legal practice as a corporation counsel, and his nickname among the minority lampooners of the Convention of 1787 was "Jacobus de Caledonia," or "James the Caledonian, lieutenant general of the myrmidons of power."[3] Francis Hopkinson, however, in his allegorical skit "The New Roof," affectionately recorded Wilson as "James the architect," who "consulted the most celebrated authors in ancient and modern architecture," and built a securely sound framework for the Federal Constitution.[4] It is probably most correct to say that Wilson's under-

[1] Richard F. Upton, *Revolutionary New Hampshire*, p. 215.

[2] A biographical sketch of Wilson can be found in *Dictionary of American Biography*, XX. 326–330. His writings have been published as follows: *Works of James Wilson*, Bird Wilson, Editor, 3 vols. (Philadelphia, 1804); *Selected Political Essays of James Wilson*, Randolph G. Adams, Editor (New York, 1930), which contains a good bibliography of Wilson's writings and speeches; *Works of James Wilson*, James DeWitt Andrews, Editor, 2 vols. (Chicago, 1896). B. A. Konkle, author of *James Wilson and the Constitution*, is projecting a complete Life and Works.

[3] *Pennsylvania and the Federal Constitution*, pp. 631, 682.

[4] *Id.*, p. 511.

lying idea, foreshadowed more than a hundred years too early, was that of dominion status for all the colonies of Great Britain.

Emigrating in 1765, Wilson taught Latin at the College of Philadelphia for two years, lecturing at odd times on English literature, writing Addisonian essays in the *Pennsylvania Chronicle*, in collaboration with William White, under the assumed name of "The Visitant," and studying law meanwhile in the office of another classics-lover, John Dickinson. This partnership was a congenial one; for both men popularized the essentially legal and common-sense arguments for colonial rights, and both advanced a campaign of intelligent persuasion rather than a radical sweep on emotional grounds. Dickinson, however, drew away from the noise of battle after 1776, while Wilson reasoned himself into the idea of independence. Soon prominent at the bar, Wilson took an active part in the Continental Congress. Later he played an important rôle in the Federal Convention and in the ratifying convention of his State. He was appointed in 1789 to the first professorship of law at the University of Pennsylvania, and in the same year to an associate justiceship of the Federal Supreme Court. All the while, due to land speculation, he was in financial hot water; and some of his enemies accused him of turning sharp corners. It is not probable that a longer life would have seen him in executive office. Yet one is tempted to speculate what might have happened if Wilson had not died at Edenton, North Carolina, in 1798 at the age of only fifty-six. He was twice married, and a son, Bird Wilson, edited his works in 1804. In 1906, his body was moved to Christ Church burying ground in Philadelphia, near the grave of Franklin.

It has not been until recently that Wilson has come into his own as an eighteenth-century statesman and thinker; and this article makes no pretence at settling the matter. But to a remarkable degree he was imbued with the classical tradition, and it is worth while to study the frequency in his writings and speeches of the precedents of Greece and Rome, together with their influence upon his thought and policies. Whether Bryce was overpraising Wilson when he remarked that Wilson, in comparison with Madison and Jefferson and Adams, had not received justice; or whether Theodore Roosevelt was too much under the spell of Republican enthusiasm when he praised Wilson at the dedication of the Pennsylvania State Capitol in 1906; or whether Governor Baldwin of Connecticut rates him too high in the category of masters of jurisprudence—it is just to say that he has now been recognized as the force he was in colonial history.[1]

[1] L. H. Alexander, "James Wilson, Patriot, and the Wilson Doctrine," *North American Review*, CLXXXIII, especially pp. 3, 5, 8, 10, 16.

Francis Hopkinson wrote to Jefferson (then in Paris) on December 14, 1787: "Mr. Wilson exerted himself to the astonishment of all hearers. The powers of Demosthenes and Cicero seem to be united in this able orator."[1] John Adams, in a letter written to Mrs. Adams on July 23, 1775, discussing the characters of the Pennsylvania delegation, refers to John Dickinson as one "whose abilities and virtues, formerly trumpeted so much in America, have been found wanting"; he commends, on the other hand, "a young gentleman from Pennsylvania, whose name is Wilson, whose fortitude, rectitude, and abilities too, greatly outshine his master's."[2] Wilson was never shy in putting himself forward. We have an interesting letter from his pen, written in January, 1777, to Robert Morris, calling attention to the need for an officer who, not a member of Congress, should superintend admiralty cases, conduct prosecutions, interpret the Law of Nations, and supervise treaties and foreign relations—a sort of combination of advocate and attorney-general. And he closes this letter with an offer to take the position himself and a request to Morris to bring the nomination before Congress.[3] However all this may be, we agree with a recent editor of Wilson's writings who states: "Each fundamental principle is in every instance traced to its source, whether it be a principle enunciated by Socrates, Aristotle, Cicero, Gajus, Pufendorf, Locke, Grotius or Hobbes, Descartes or Hume, Vattel or Domat . . . the number of references to classical jurists, philosophers, or historians who have written on jurisprudence, is remarkable."[4]

The style of James Wilson is diffuse but clear, with a sort of modified Burkeian periodicity. The exposition is simple and logical, based upon his experience as a teacher and his legal practice throughout eastern Pennsylvania, Delaware, and Maryland. Akin to this clarity seems to have been his reluctance to do things secretly, notwithstanding the sometimes dubious real estate and land company adventures which some critics have fastened upon as clouding his reputation. For when Congress went into secret session on August 20, 1776, in order to discuss confederation, Wilson moved in vain, along with John Adams, "that debates should be public, the doors opened, galleries erected, or an adjournment made to some public building where the people might be accommodated."[5]

In the use of language, apart from the fact that by Wilson's time the

[1] L. H. Alexander, "James Wilson, Patriot, and the Wilson Doctrine," *North American Review*, CLXXXIII, p. 5.

[2] *Letters of Members of the Continental Congress*, I. 175.

[3] *Id.*, II. 215–217.

[4] *Works* (Andrews edition), I, Introduction.

[5] *Letters of Members of the Continental Congress*, II. 53.

craze for archaic eccentricity had passed away because of the Age of Reason and the straightforwardness of the eighteenth century, one finds few of the curious words and compounds which were used by such earlier writers as Nathaniel Ward or Cotton Mather. Phrases like "the perilous irritaments of carnal and spirituall enmity" and "nugiferous gentledame" have been discarded. The style is Ciceronian or Demosthenian, but highly intelligible to all educated hearers. One feels it to be merely an experiment, a *tour de force*, when Wilson "goes Johnsonian" on certain occasions: "our first executive magistrate is not obnubilated by counsellors," or "the coacervation of sanguinary laws."[1] "Imbecility" was still used in Wilson's time to describe physical or structural rather than mental weakness; and "nervous," in the sense of "vigorous," was common. Similarly, when Wilson disagrees, on grounds of human consent, with the Tory legal maxim "no man can oblige himself,"[2] we must be careful to think of the Latin *obligare*. Such terms, also, as "judicials," "intellectuals," "prudentials," occur in a form familiar to the earlier colonial days. But the abrupt picturesqueness of seventeenth-century style has been smoothed out into a clear and flowing medium of expression.

Wilson's permanent and underlying interest was the law. As Spenser was called the "poet's poet," so might Wilson be described as the "lawyer's lawyer." This very trait might have been a handicap to him had it not been for the wide field to which he applied it. He grips hard to ideas which seem to him fundamental—the jury system, for example. He enlarges on a statement by Montesquieu to the effect that Rome, Sparta, and Carthage lost their liberties because they lacked the institution of trial by jury; he holds that the jury, with its impartial verdict, is a sort of institutional surgeon, quoting

> *immedicabile vulnus*
> *ense recidendum est, ne pars sincera trahatur.*[3]

The motto of the law lectures which Wilson delivered, beginning in December, 1789, is Cicero's *lex fundamentum est libertatis qua fruimur. Legum omnes servi sumus, ut liberi esse possimus.*[4] The schools, he maintained, or the parents of the pupils, should inculcate even at the early stages of childhood the elementary principles of law, even as Cicero him-

[1] *Works* (Bird Wilson edition), I. 443, III. 390.

[2] *Id.*, I. 211.

[3] "A gangrened wound must be amputated with the knife, lest the healthy part of the body be corrupted also." Ovid, *Metamorphoses*, i, 190–191; *Works* (Bird Wilson edition), I. 466, II. 351.

[4] "The Law is the foundation of the liberty which we enjoy. We are all slaves to the law, in order that we may be free." Cicero, *Pro Cluentio*, 146.

self regarded the Twelve Tables in the light of a *necessarium carmen*, "a piece of wisdom to be learned by heart," and as Plato commended King Minos for doing.[1] In his essay *On the Study of Law in the United States*, Wilson advocates the value of academic instruction therein by calling to the attention of his readers the legal teaching of Coruncanius, Scaevola, Cato, and Brutus. Such study, he follows Cicero in declaring, is a *decus et ornamentum*. Even women are advised, on the analogy of Laelia, the wife of Scaevola, Aurelia, the mother of Caesar, Attia, the mother of Augustus, and Cornelia, the mother of the Gracchi,[2] to encourage others in such a pursuit, for the daily speech of cultivated women will prepare children for efficient expression in civic life.

Thus an institution which has as its ultimate basis of study the fundamentals of custom and consent should be an early object of attention, as the child of today learns the Declaration of Independence by heart in his elementary school. Wilson calls Cicero as a witness to the principle that the ultimate origin of the law is God, and that for this reason its understanding must be cultivated spiritually no less than mentally, and at the earliest age possible. These intuitive truths are the axioms which start our reasoning processes: *Mens et animus et consilium et sententia civitatis posita est in legibus;*[3] and again quoting Cicero: *Quae est enim gens, aut quod genus hominum, quod non habeat sine doctrina anticipationem quandam deorum?*[4] And besides intuitive truths, the common experience of the common man counts for most valuable evidence. For example, says Wilson, neither opinion nor the courts, because of the communal trend in personal property, penalized a Spartan for larceny; the family, according to Tacitus's account of the Germans, accepted a cash settlement for injury to its members; a man's home is his sanctuary. As Cicero says: *Quid sanctius, quid omni religione munitius, quam domus uniuscuiusque civium?*[5] These things are primal, Wilson holds, and even Aristotle, who would "resolve all reasoning into its first elements," did not always succeed in defining certain of the simplest things which language cannot express. "A shoemaker could point out to Apelles himself a defect in the picture of a shoe."

If, then, there are *communes notitiae*, innate general ideas, even in the

[1] Cicero, *De Legibus*, ii, 23; Plato, *Laws*, 624, 659, etc.

[2] Cicero, *De Oratore*, i, 199; *Works* (Bird Wilson edition), i. 32; Cicero, *Brutus*, 53; Tacitus, *Dialogus de Oratoribus*, 28.

[3] "The mind, soul, purpose, and idea of the State depend upon its laws." Cicero, *Pro Cluentio*, 146.

[4] "What tribe or race of men is there that does not have an intimation of immortality, without formal training?" Cicero, *De Natura Deorum*, i, 16.

[5] "What is holier or more protected by every article of faith, than any individual citizen's household?" Cicero, *Pro Domo*, 41; Tacitus, *Germania*, 21.

common run of mankind, how much more will these conceptions flourish and be susceptible of the highest development in a well-brought-up and well-educated child! They are notions which Epicurus himself, whom Wilson calls, in the Horatian phrase, "an inhabitant of the stye" and rates as inferior to "Plato and Tully," defined to the entire approval of Cicero: *Natura iuris a natura hominis repetenda est.* One sees already, of course, why Wilson, the American colonial, is quoting such phraseology: it follows that the application as well as the source of the law is universal and that every citizen enjoys his inheritance therein. *Mihi credite, maior hereditas venit unicuique vestrum in iisdem bonis a iure, a legibus, quam ab iis a quibus illa ipsa bona relicta sunt.*[1] And then Wilson turns to a modern jurist for final backing, using the words of Coke: "No man is superior in knowledge to the laws," and "proofs must be self-evident, in other words clear and easy to understand."

The climax to which Wilson's remarks on the fundamentals of the law are directed is an essentially American principle: that of every man's privilege to take a direct part in managing his community. While in our enthusiasm we should not ignore Saxon origins, we are thus given plenty of classical testimony with regard to the consent of the people, backed by custom, as the guiding force of any state. Even on grounds of taste alone this faith is justified, and Cicero again is called to witness that the "energy of nature" prompts even the most uncultivated mind to discern and understand: *Cum in omni genere, tum in hoc ipso* [i.e., the *vulgus imperitorum*] *magna quaedam est vis incredibilisque naturae.*[2]

The importance of publicity at trials, the heliastic courts at Athens, Homeric causes pleaded at the city gates, Roman *iudicia*—all these are proofs of the universality of law and of its application to all men alike. Symbolism, superstition among early peoples, add further evidence: the Roman *confarreatio*, the divorced wife handing back the keys, emancipation of a slave by a slap, the clenched fist for a pledge, touching the ear of a witness, turf as symbol of real estate or citizenship—Wilson thinks of them all. As a converse illustration that it is unwise to ignore these truths, Wilson cites Hobbes, who recommended destroying the Greek and Latin authors on the ground that they always encouraged the people to *think!*[3]

The Law of Nature, with its consequent development into the Law of

[1] "Let me assure you, each of you receives a greater heritage in these same goods from the law and from legislation than from those persons by whom these very goods have been left by will." Cicero, *Pro Caecina*, 26.

[2] "In every class of mankind, and especially in the most untutored, there is at work a mighty and marvellous process of nature." Cicero, *De Oratore*, iii, 50.

[3] *Works* (Bird Wilson edition), II. 288, I. 85, II. 234; Homer, *Iliad*, xviii, 497.

Nations and its application to the doctrine of American independence, harks back to Aristotle, the Stoics, Cicero, Seneca, and Ulpian. All these sources were familiar to our Founding Fathers, and they harmonized with the humane rationalism of eighteenth-century Europe. Wilson recognizes the Aristotelian division of political justice into "natural" and "conventional,"—*naturale* and *legale*.[1] The second is man-made; the first we have already described. Scotchmen were trained in Roman Law; and it is assumed that Wilson was also acquainted with the theory of duality between pope and emperor which we find in Thomas Aquinas, applying somewhat the same criterion to the universal Federal powers and the more limited state functions which we find in the double category of revelation and reason, or theology and philosophy. Wilson likes Cicero's definition of the Law of Nature, or Right Reason—"a true law, conformable to nature, diffused among all men, unchangeable, eternal."[2] "A state of nature," he says, "is a state of equality and liberty." And it is not a mere raw affair, but a human privilege. Samuel Adams agreed with him: "All men have a right to remain in a State of Nature as long as they please."[3]

"All law flows originally from God," say Wilson and Cicero: *haud scio an, pietate adversus deos sublata, fides etiam et societas generis humani et una excellentissima virtus, iustitia, tollatur*.[4] On this side the moral law shades gradually into the natural law. On the other side the natural law shades gradually into the Law of Nations, and then subdivides into civil, international, and other man-made legalities. Wilson was in sympathy with the statement of James Otis: "The supreme power in a state is, *ius dicere* only: *ius dare*, strictly speaking, belongs alone to God." Ulpian's phrase was circulated freely: *quod ad ius naturale pertinet, omnes homines aequales sunt*. Justinian's "all men are free *iure naturali*" was quoted by everyone. Seneca's Forty-Seventh Epistle emphasized the degradation of slavery: "He is a slave. But his soul is that of a freeman. Slaves! No, comrades!"[5]

The word "nature" was, therefore, something to conjure with in the eighteenth century. It was seized upon in its classical connotations as

[1] Aristotle, *Politics*, iv, 9; Sir Henry Maine, *Ancient Law* (Sir Frederick Pollock, Editor), chap. iii.

[2] Cicero, *De Republica*, Book III (fragment), in Lactantius, *Institutes*, vi, 10.

[3] Miller, *Sam Adams*, p. 267; see also *Selected Essays of Wilson*, p. xxxv.

[4] "I think that, if our allegiance to the gods were annulled, faith and the society of mankind and that primarily excellent virtue, justice, would disappear." Cicero, *De Natura Deorum*, i, 4.

[5] *Rights of the British Colonies Asserted and Proved* (2d ed., London, 1765), p. 70; Ulpian, *Digest*, l, 17, 32; Justinian, *Institutes*, i, 5. For this idea, even in Tudor England, see Albert F. Pollard, *Henry VIII*, II. 234.

eagerly as the conception of the Noble Savage was appropriated by the English writers of the same period.

But before the Law of Nature could be free to work as the leading element in colonial liberty, it had to be stripped of one interpretation which would spoil the whole process. And here is the stage where its champion, Wilson, attacked the classical point of view in order to make the application. The doctrine of "superior power" was the stumbling-block. Plato, of course, had routed the sophist Thrasymachus, who upheld the "might of the stronger" in the *Republic*. But Aristotle himself, though acknowledging that all power comes ultimately from the people, had assigned the privilege of mastery and domination to the man of "superior qualities."[1] Cicero, usually the most collectively liberal of statesmen, and with more emphasis on the intellect, uses language similar to that of Aristotle: *Ut enim quisque maxime perspicit quid in re quaque verissimum sit, quique acutissime et celerrime potest et videre et explicare rationem, is prudentissimus et sapientissimus rite haberi solet.*[2] But this is unsatisfactory to Wilson; and so is Pufendorf's idea of prominence as the result of elective choice.[3] Even this is insufficient for the complete liberty which the colonials desired.

Wilson picks the ancient doctrine to pieces, whether it be the remark of the suppliants to the king in the play of Aeschylus: "Sir, you alone govern by your absolute commands"; the *vae victis* of Brennus in Livy; the proverb of Thucydides: "You may rule over any one whom you can dominate"; the definition of Dio of Halicarnassus: "The Law of Nature means that the stronger shall always control the weaker"; or, as a climax of tyranny, Caligula's boast: "If I am only a man, my subjects are something less; if they are men, then I am something more!" Even the placid Marcus Aurelius needs modifying when he says: "Magistrates judge private persons; princes, magistrates; but God alone, princes."[4]

And yet there is some testimony to the collective principle and the doctrine of government by complete consent to be found in the ancient writers; and Wilson fastens upon these few instances to support his theories. Aristotle is approved when he declares: "In the perfect state the good man is absolutely the same as the good citizen";[5] hence the opportunity for

[1] Aristotle, *Ethics*, 1102 a, 5; William A. Dunning, *History of Political Theories*, I. 68.

[2] "According as each man perceives most clearly the kernel of every fact, and is able with the greatest acumen and speed to explain its principles, so he may be properly regarded as the wisest and soundest of all." Cicero, *De Officiis*, i, 5.

[3] *De Jure Naturae et Gentium*, i, 6, 10–11.

[4] Aeschylus, *Supplices*, 370–375; Livy, v, 48; Thucydides, v, 105; Dio, i, 5; Suetonius, *Caligula*, 22 (perhaps); Marcus Aurelius (Loeb Classical Library), pp. 357, 365, 367. Wilson quotes a great deal from memory, and often gives a free rendering of the original.

[5] *Politics*, iv, 7 (1293 b).

regarding legislation as a contract between willing parties, avoiding the undesirable thought:

sic volo, sic iubeo; stet pro ratione voluntas.[1]

For, says the speaker to the colonial recalcitrants, in the constitution of Rome the *dominium eminens* "resided in the collective body of the people,"[2] which was really superior to the Senate—a fact which we may doubt after sifting the history of the patrician and plebeian controversy. If this is in general a sound argument, though not always accurate history, then most of the ancients are wrong, and so are Hobbes and Blackstone entirely, and Pufendorf partially. Any citizen may, in the old-style legal phrase, "oblige himself" and not have a burden put upon him by his superior. And Cicero gives golden testimony to this freedom when he says: *ne quis invitus civitate mutetur, neve in civitate maneat invitus.* The English legal maxim is wrong: *nemo potest exuere patriam;* but Cicero hits the nail on the head in his declaration of social independence: *nihil est illi principi deo qui omnem mundum regit acceptius quam consilia coetusque hominum iure sociati.*[3]

One who is interested in the mental attitude of these colonials may be justified in feeling that in this sort of argument and in this glorified game of hide-and-seek through the pages of classical antiquity, the function of the ancient writers is put right side up: the principle of freedom, the concrete need of 1776 and 1787, is the first consideration, and the natural medium of the scholars and statesmen of those days is used for argument and proof. It certainly served the modern purpose for which it was intended, even if sometimes the same author was invoked both for refutation and for confirmation, as in the case of Marcus Aurelius, who serves as the climax for a social and coöperative attitude: "He that prizes a soul which is rational, universal, and civic, no longer turns after anything else, but keeps his own soul rational and social, and to this end works conjointly with all that is akin to him."[4]

The final step in which these men were interested was the correlation of the God-made Law of Nature with the man-made Law of Nations. The second is the same as the first, only applied to states and sovereigns, as Wilson tells us. He disagrees with Grotius in feeling that their origin is identical: "an eternal and unchangeable law which binds men from all

[1] "So I prescribe, so I order it; let my will take the place of explanations." Juvenal, *Satires*, vi, 223 (*hoc* for *sic; sit* for *stet*).

[2] *Works* (Bird Wilson edition), I. 210.

[3] "Nothing is more welcome to the Godhead of the universe than councils and gatherings of men which are united by the sanction of the law." Cicero, *Pro Balbo*, 13, *Somnium Scipionis*, 3.

[4] Marcus Aurelius (Loeb Classical Library), p. 137.

time, with God as the common master, governor, creator, and administrator thereof."[1] This phrase of Cicero one finds often in pre-Revolutionary writings. The brute, says Cicero again, settles arguments by force, man, by reason. By correlating these two laws closely, the colonial statesman showed his shrewdness; for a general argument on international law would have degenerated into a cat-and-dog squabble, just as appeals to parliament instead of to the king would have provoked interminable debate. Cicero offers us quadruple testimony for the support of human compacts based on fundamental truths: 1. "Peace depends upon maintaining the collective society of mankind, in allowing everyone his due share, and in holding to one's pledged agreements"; 2. There is no such thing as a "natural enemy," for "it is more consonant to nature to undertake the greatest labors and to undergo the severest troubles for the preservation and advantage of all nations"; 3. "We are not born for ourselves alone; our country and our friends demand a part of our personalities, and, as the Stoics believe, we should bind together mankind in a mutually close alliance"; 4. "If some God were to remove us from the throng and set us anywhere in solitude, and take away the privilege of association with others, who would be such an Iron Man as to endure that type of life?"[2]

Having established proofs of Wilson's complete sympathy with the principles involved in the Law of Nature and the Law of Nations, we may consider his application of these principles to the problems of the type of the new American government and the details of the procedure involved in the setting up of the new state. Throughout his writings we find him naturally upholding the doctrine of complete representation. The good royal lawmaker is not enough. Deioces, for example, straightened out the disjointed government of the Medes after they had successfully revolted against the Assyrians; he created an excellent code and then retired. But as a result of later confusion they recalled him and made him king. These benevolent persons may be praised by such as Tacitus and commended by Cicero as *bene morati reges;*[3] they may have owed their standing to the art of persuasion; but in the end confusion resulted, and the only semblance of successful royalty was that which blended in a combination with aristocracy and democracy. The British system, when rightly applied, was a good one, and Cicero was in harmony with this threefold type: "a state," says he, "is established on the soundest principles when it is blended in moderation of three varieties—royal, noble, and

[1] Cicero, *De Republica*, iii, 2, *De Fato*, 28; Lactantius, *Institutes*, i, 6. The phrase is adapted by Wilson as is so often the case.

[2] Cicero, *De Officiis*, i, 15, iii, 23, i, 22; *De Amicitia*, 87.

[3] Tacitus, *Germania*, 12; Cicero, *De Officiis*, ii, 41.

popular." Tacitus had sighed for it, but had defined it as "easier to praise than to practise."[1] But, claims Wilson, there are traces of successful democracy even in the Greek and Roman states: "in the small Grecian republics and in the first ages of the commonwealth of Rome, the people voted in their aggregate capacity." This is, of course, open to question; it depends on what is meant by "the people." But certainly the Germans of Tacitus were democratic: *de minoribus consultant principes, de maioribus omnes.*[2] And the system in Rome of voting by centuries, as well as the Athenian assembly, gives us some prototypes of what Wilson and his associates approved in the ancient tradition. The Locrian rule was grimly and democratically humorous—that a citizen who proposed a new law must appear in the assembly with a rope about his neck, and be strangled if the proposal was unconstitutional!

Examples from classical antiquity are ransacked in order to find the proper prescriptions for the new republic. Wilson commends Lord Baltimore, who "recommended to the legislature of Maryland a maxim which deserves to be written in letters of gold: 'By concord a small colony may grow into a great and renowned nation; but by dissensions mighty and glorious kingdoms have declined and fallen into nothing,' "—a reference to the dictum of Augustus's prime minister, Agrippa, as quoted in the Ninety-Fourth Epistle of Seneca, and mentioned also by John Dickinson when speaking of colonial cohesion. In order to attain such a desirable end, mere confederation is not enough. During the Convention proceedings Wilson disagreed with Madison over the use of the word "confederation," holding that we should not be led astray by parallels with Swiss or Dutch or Germanic groups, or by the councils of the Achaean, Lycian, or Amphictyonic Leagues. The Amphictyons, he tells us, managed the games, certain religious rituals, and a specific type of private controversy. Members were excluded for violation of the rules. The Lycian confederacy, which lasted until the time of the Roman conquest, handled problems of war, peace, and alliances among the Lycians themselves: these peoples had more regard for custom than for written law. The Achaean League, interested especially in war, peace, and diplomacy, as well as in alliances, laid down rules for uniform money, weights, and laws. These organizations varied in strictness; they are not, as Wilson feels, the stuff of which a real republic is made. Nor is the system of the ancient Germans, as described by Tacitus, nor the large-scale European federation suggested by Henry of Navarre, nor that which William Penn envisaged. One would think that the best comparison of all would have been the independent colony of

[1] Cicero, *De Republica*, ii, 41; Tacitus, *Annals*, iv, 33.

[2] Tacitus, *Germania*, xi.

Roman citizens endowed practically with self-government and yet owing allegiance to the greater conception of the Republic or the Empire.

There must be more unity than is possible in a confederation. Treaties and matters of arbitration could not any longer be settled as in the days of small city states. There should be uniform public, and diverse private, laws, like the nymphs whom Ovid describes: "with features not identical, but of the same type, like sisters."[1] There should be a unified "energy of sovereign power," but it should not be unleashed except in matters of general importance, according to Horace's rule for the drama: "Let no god intercede in the plot unless the knot demands a champion."[2] Livy is called to witness in the arbitration of a suit between the Romans and the Samnites; the five Lacedaemonian umpires are remembered—those who were appointed, in a dispute between Athens and Megara, to settle the ownership of Salamis. This last is a dubious instance, and far more to the point is the arrangement made by Athens and Plataea under the patronage of King Cleomenes and the Spartans.[3]

Wilson's mind is thus essentially a *legal* one: doubtful laws are "Janus statutes." As there must be general consent in view of the vital value of the Natural Law, so there must be a sense of justice in large-scale associations of men in line with the "equity" which Aristotle defines as "the correction of that in which the law is defective." The family, called by Cicero the *seminarium reipublicae*, is essential at one end of the line; and at the other there must be *imperium* (authority), "without which the home, the city, the tribe, and the whole race cannot exist."[4] And the property-owning farmer is the foundation of it all, as in the days when Cicero tells us that men "were called from the plow to be consuls." Being a friend of the common-sense philosophy then prevalent in many quarters, Wilson attacks the theory of ideas, from Plato to Locke; and yet, with all his worship of the common man's problems, he bursts into a panegyric of the Platonic ascent from visible forms to the abstract beauty in the soul. This he applies to the ideal lawgiver and his willing coöperators.

It is thus interesting to see an early American professor of law either challenging or calling to witness the classical authors in his desire to establish a democracy which might be a real result of popular control.

[1] *Metamorphoses*, ii, 13–14.

[2] *Ars Poetica*, 191.

[3] Livy, viii, 23; Herodotus, vi, 108.

[4] Cicero, *De Officiis*, i, 17, *De Legibus*, iii, 1.

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